

**1978  
ACCUMULATIVE  
SUPPLEMENT  
TO  
THE  
UNIFORM STATEWIDE  
BUILDING CODE**

**BOARD OF HOUSING AND COMMUNITY DEVELOPMENT  
205 NORTH FOURTH STREET  
RICHMOND, VIRGINIA 23219  
804-786-1575**

**BUILDING CODE SECTION  
804-786-5041**

**EFFECTIVE  
AUGUST 1, 1978**

## ABSTRACT

**TITLE:** 1978 Accumulative Supplement to the Uniform Statewide Building Code

**AUTHOR:** Board of Housing and Community Development and the Department of Housing and Community Development

**SUBJECT:** Regulations and Amendments for Administration of the Uniform Statewide Building Code

**DATE:** August 1, 1978

**AGENCY:** Commonwealth of Virginia  
Department of Housing and Community Development

**SOURCE OF COPIES:** Department of Housing and Community Development  
Building Code Section  
205 North Fourth Street  
Richmond, Virginia 23219

**NUMBER OF COPIES:** As Needed

**SERIES NUMBER/  
EDITION:** 1978

**Reprinted** May 1982

**NUMBER OF PAGES:** 165

**ABSTRACT:** This document sets forth the Uniform Statewide Building Code, adopted by the Board of Housing and Community Development, pursuant to Article 1, Chapter 6, Title 36 and Chapter 8, Title 36 of the Code of Virginia 1950, as amended.

**1978  
ACCUMULATIVE  
SUPPLEMENT  
TO**

**UNIFORM STATEWIDE  
BUILDING CODE**

See Revision  
Updates beginning  
on page 55



## TABLE OF CONTENTS

Introduction . . . . .	1
Use of this Book . . . . .	2
Part "A", Administrative Rules and Regulations . . . . .	3
Part "B"	
Chapter 6, Code of Virginia, Uniform Statewide Building Code . . . . .	15
§36-97 Definitions . . . . .	16
§36-98 Board to Promulgate Code . . . . .	17
§36-99 Provisions of Code . . . . .	17
§36-99.1 Certification of Electrical and Plumbing Workers . . . . .	18
§36-99.2 Standards for Replacement Glass . . . . .	18
§36-100 Notice and Hearings on Adoption of Code . . . . .	18
§36-101 Effective Date of Code . . . . .	18
§36-102 Modification, Amendment or Repeal of Code Provisions . . . . .	18
§36-103 Buildings, etc., Existing or Projected Before Effective Date of the Code . . . . .	18
§36-104 Code Printed and Furnished on Request . . . . .	19
§36-105 Enforcement of Code, Appeals from Local Department . . . . .	19
§36-106 Violation a Misdemeanor . . . . .	19
§36-107 Employment of Personnel . . . . .	19
§36-108 State Building Code Technical Review Board . . . . .	20
§36-109 Officers . . . . .	20
§36-110 Expenses . . . . .	20
§36-111 Oath and Bonds . . . . .	20
§36-112 Meetings . . . . .	20
§36-113 Offices . . . . .	20
§36-114 Board to Hear Appeals from Decisions Under Code . . . . .	21
§36-115 Subpeonas, Witnesses, etc . . . . .	21
§36-116 Repealed by Acts 1977 . . . . .	21
§36-117 Record of Decisions . . . . .	21
§36-118 Interpretation of Code . . . . .	21
§36-119 Rules and Regulations, Under §36-73 Not Superseded . . . . .	21
Chapter 7, State Board of Housing, Repealed by Acts 1977 . . . . .	21
Chapter 8, Department of Housing & Community Development . . . . .	22
§36-131 Definitions . . . . .	22
§36-132 Creation of Dept., Appointment of Director . . . . .	22
§36-133 Director to Supervise Department . . . . .	22
§36-134 General Powers of Director . . . . .	22
§36-135 Board of Housing & Community Development Created . . . . .	23
§36-136 Meetings of Board . . . . .	23
§36-137 Powers and Duties of Board . . . . .	23
§36-138 Compensation of Members of Board . . . . .	24
§36-139 Powers and Duties of Director . . . . .	24
PART "C"	
Adoption of UNIFORM STATEWIDE BUILDING CODE . . . . .	28

**PART "D"**

**BOCA BASIC BUILDING CODE/1978**

**Article 1, Administration and Enforcement**

Section 100.1 Title .....	27
Section 100.2 Scope .....	27
Section 100.4 Code Remedial .....	27
Section 101.3 Matters Not Provided For .....	27
Section 101.5 Other Regulations .....	27
Section 102.1 General .....	27
Section 104.1 General .....	27
Section 106.0 Existing Structures .....	27
Section 107.1 Building Official .....	27
Section 107.2 Appointment .....	28
Section 107.7 Restriction of Employees .....	28
Section 108.6 Rule Making Authority .....	28
Section 108.7.1 Department Records .....	28
Section 110.1.a Inspection Requirements .....	28
Section 110.1.b Inspection Time .....	28
Section 110.1.c Minimum Inspections .....	28
Section 112.3 By Whom Application is Made .....	28
Section 112.3.1 Owner Performance .....	29
Section 112.3.1.a Approval of Plans .....	29
Section 112.3.1.b Permit .....	29
Section 112.3.1.c Work .....	29
Section 112.3.1.d Tests .....	29
Section 112.5 Plans and Specifications .....	29
Section 112.7 Engineering Details .....	29
Section 113.3 Previous Approvals .....	29
Section 117.0 Fees .....	29
Section 118.0 Volume Computation .....	29
Section 121.4 Violation Penalties .....	29
Section 121.5 Abatement of Violation .....	30
Section 126.2.2 Qualification of Board Members .....	30
Section 126.6 Board Review .....	30
Section 126.7 Court Review .....	30
Section 127.0 Construction Control .....	30
Section 300.1 Scope .....	30
Section 301.2 Fire Limits .....	30
Table 305 (page 88) Height and Area Limitations of Buildings .....	30
Section 315.0 Physically Handicapped and Aged .....	31
Section 402.2.1 Outside Underground System .....	31
Section 406.3 Bottled Gas .....	31
Section 424.1 General .....	31
Section 424.2 Construction .....	31
Section 424.3 Location .....	31
Section 424.3.1 Anchorage and Tie-down .....	31
Section 424.3.2 Required Anchorage .....	31

Section 424.3.3 Placement of Ground Anchors .....	32
Section 424.3.4 Hurricane Zones .....	32
Section 424.3.5 Non-Hurricane Zones .....	32
Section 424.3.6 Load Capacity .....	32
Section 424.3.7 Weather Resistance .....	33
Section 609.4 Emergency Escape .....	33
Section 612.5 Security Requirement .....	33
Section 612.5.1 Exterior Swinging Doors .....	33
Section 612.5.5.2 Exterior Sliding Doors .....	33
Section 612.5.5.3 Window Latches .....	33
Section 724.1 Frost Protection .....	33
Section 872.6 Flood Proofing .....	34
Section 907.7 Continuity of Walls .....	36
Section 1100.2 Mechanical Code .....	36
Section 1100.3 Air Pollution Control .....	36
Section 1300.2 Other Laws .....	36
Section 1506.0 Energy Conservation in Electrical Distribution Systems ..	36
Section 1702.1.1 Private Sewage Disposal .....	36
Section 1704.3 Private Water Supply .....	37
Section 1800.1 Scope .....	37
Appendix B Accepted Engineering Practice Standards .....	38
<b>PART "E"</b>	
<b>BOCA BASIC PLUMBING CODE/1978</b>	
Section P-100.0 General .....	39
Section P-109.0 Plumbing Official .....	39
Section P-110.0 Duties and Powers of the Plumbing Official .....	39
Section P-122.0 Means of Appeal .....	39
Table 1202.2.1 (page 107) Minimum Number of Plumbing Fixtures .....	39
Article 15 Individual Sewage Disposal System .....	39
Section 1601.0 Water Required .....	39
Article 17 Individual Water Supply .....	39
<b>PART "F"</b>	
<b>BOCA BASIC MECHANICAL CODE/1978</b>	
Section M-100.0 General .....	41
Section M109.0 Mechanical Official .....	41
Section M-110.0 Duties and Powers of the Mechanical Official .....	41
Section M-122.0 Means of Appeal .....	41
Section M-301.1 Scope .....	41
Article 11 Air Pollution Control .....	41
<b>PART "G"</b>	
<b>ONE AND TWO FAMILY DWELLING CODE/1978</b>	
Chapter 1, Administrative .....	43
Section R-104 thru R-113 .....	43
Section R-206 Ceiling Height .....	43
Section R-207 Sanitation .....	43
Section R-209 Glazing .....	44
Section R-211 Exits .....	44

Section R-212 Doors and Hallways .....	44
Section R-213 Landings .....	44
Section R-215 Handrails and Guardrails .....	45
Section R-216 Smoke Detector .....	45
Section R-217 Foam Plastics .....	45
Section R-218 Flame Spread .....	46
Section R-303 Footings .....	46
Figure No. A-3 (page 22) Minimum Foundation Requirements .....	46
Section R-308 Protection Against Decay and Termites .....	46
Section R-402 Wood .....	46
Table No. 4-B (page 32) .....	47
Section R-410.2.3 Reinforced Hollow Unit Masonry .....	47
Section R-602 Wood .....	47
Table No. 6-C (page 58) .....	47
Table No. 6-E (page 60) .....	48
Figure No. A-6 (page 62) .....	48
Section R-702 Wood .....	48
Section R-706 Attic Access .....	48
Section R-803 Composition Asphalt Organic Felt Shingles .....	48
Chapters 9 thru 25 .....	48
Chapter 26 Standards .....	49
Appendix A Snow Loads .....	
PART "H"	
INCONSISTENT LOCAL BUILDING CODES AND REGULATIONS REPEALED .....	51
PART "I"	
SAVINGS CLAUSE .....	52
PART "J"	
DATE OF ACCEPTANCE .....	53
PART "K"	
MEMBERS .....	54
REVISION UPDATES .....	55

## **Introduction**

The General Assembly passed legislation creating a State Board of Housing and directed it to adopt a building code that would apply equally across Virginia. On January 29, 1973 the State Board of Housing selected a nationally recognized, performance oriented code. In 1977, the General Assembly repealed the legislation creating the State Board of Housing and created the Board of Housing and Community Development, effective July 1, 1978. Using the model code of Building Officials and Code Administrators, International, Inc. (BOCA), on June 19, 1978 the Board adopted the following to be the Uniform Statewide Building Code of Virginia, sometimes referred to as "this Code":

The BOCA Basic Building Code/1978  
The BOCA Basic Plumbing Code/1978  
The BOCA Basic Mechanical Code/1978  
The One and Two Family Dwelling Code/1975  
The National Electrical Code/1978  
The Virginia Administrative Amendments/1978\*

\*The Virginia Administrative Amendments/1978 consisted of changes that were needed to conform the model code for use in Virginia. These amendments have been merged into this Accumulative Supplement.

The Virginia General Assembly also created a State Building Code Technical Review Board (the "Review Board") to interpret provisions of this Code, to hear appeals and to provide technical assistance to the Board of Housing and Community Development on amendments.

The Uniform Statewide Building Code becomes effective August 1, 1978 for the entire State of Virginia.

All sections of this Code which have been amended by the State Board of Housing are printed in this Accumulative Supplement.

## **Use Of This Book**

The material in this Supplement has been organized into eleven (11) parts, lettered A through K, as follows:

Part A - Administrative Rules and Regulations,

Part B - Chapters 6, 7 and 8, Title 36, Code of Virginia 1950, as amended.

Part C - Lists all the publications that, when taken together, make up the Uniform Statewide Building Code.

Part D - Amendments to the BOCA Basic Building Code/1978 (white paper).

Part E - Amendments to the BOCA Basic Plumbing Code/1978 (gray paper).

Part F - Amendments to the BOCA Basic Mechanical Code/1978 (blue paper).

Part G - Amendments to the One and Two Family Dwelling Code/1975 (pink paper).

All amendments are numbered to the respective section in the respective code and should be posted thereto.

Parts H, I and J - These parts contain official regulations of the Board of Housing and Community Development regarding administration of the Uniform Statewide Building Code.

Part K - Membership

### **Part L - Revision updates**

Code changes adopted by the Board of Housing and Community Development and State legislation enacted by the Virginia General Assembly since the 1978 Uniform Statewide Building Code was adopted by the Board on June 19, 1978, and became effective August 1, 1978.

**Part A**  
**Administrative Rules and Regulations**

- (1) Article One of the 1978 BOCA Basic Building Code, as amended by this Supplement, shall be the Uniform Administrative Procedures for the Uniform Statewide Building Code.
- (2) The BOCA Basic Building Code shall be used in determining the requirements and design for the construction of buildings and structures.
- (3) Installation of equipment as defined by §36-97(13) Code of Virginia, and required or installed shall be in accordance with standards and accepted engineering practices established within the 1978 BOCA Mechanical Code, the 1978 BOCA Basic Plumbing Code and the 1978 edition of the National Electrical Code.
- (4) Pursuant to §36-118 Code of Virginia, requests for Interpretations shall be forwarded to the Department of Housing and Community Development, using the Interpretation Request Forms supplied by the office of the local building department. Decisions of the State Building Code Technical Review Board will be disseminated on a quarterly basis as follows:

<b>Interpretations Submitted</b>	<b>Will Be Considered</b>	<b>Will Be Mailed</b>
Jan. - Feb.	March	April
May - June	July	August
Sept. - Oct.	November	December

- (5) Pursuant to §36-114 Code of Virginia, applications for appeal to the State Building Code Technical Review Board shall be forwarded to the Department of Housing and Community Development using the Appeal Form.
- (6) The following forms are utilized by the State Building Code Staff in carrying out their administrative responsibilities. Copies of these forms are available through the local building department or by writing the State Building Code Staff:

Interpretation Request Form  
Interpretation Answer Form  
Application For Appeal  
Uniform Code Change Submittal Form  
Challenge Form

- (7) Modifications and Variation:** A desired modification or variation to the provisions of the Uniform Statewide Building Code should be requested by the owner in writing to the local building official as permitted by Section 109 of the BOCA Basic Building Code.

The building official should research and investigate the request as required by Sections 109.2, 109.4 and other applicable sections of the Code. Should the building official refuse to grant the request, the owner should be advised of his right to appeal.

**Appeals:** When the owner desires an appeal of the building official's decision, the building official should have said owner apply to the local appeals board on forms provided by the local department in accordance with Section 126 of the BOCA Basic Building Code.

In event the owner wishes to appeal to the State Building Code Technical Review board, the local building official should have the owner fill out the Appeal Form and transmit a copy of the ruling to the State Building Code Technical Review Board. Upon receipt, the Staff shall set the date for the hearing, and all concerned parties will be notified.

- (8) The State Building Code Staff is available to all citizens for consultation, when Code questions arise. Their telephone number is (804) 786-5041**

Opinions rendered by the State Building Code Staff and by BOCA are unofficial opinions. Pursuant to §36-118 Code of Virginia, the State Building Code Technical Review Board will render an official opinion when requested to do so.

**Interpretation Request Form**

**TO:** State Building Code Technical Review Board  
205 N. Fourth Street  
Richmond, Virginia 23219

**FROM:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REPRESENTING:** \_\_\_\_\_

Pursuant to Section 36-118 of the Code of Virginia, 1950 as amended, I hereby request an Official Interpretation of the following Article(s)/Section(s) of the Virginia Uniform Statewide Building Code.

**Code Sections:** \_\_\_\_\_ **Attachments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**QUESTION:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Date:** \_\_\_\_\_

\_\_\_\_\_  
**Signature of Applicant**

**Building Code Staff Action**

**Date Received** \_\_\_\_\_ **Interpretation No.** \_\_\_\_\_

**Date Submitted** \_\_\_\_\_

**Comments:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Final Disposition:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Staff Member** \_\_\_\_\_



**UNIFORM STATEWIDE BUILDING CODE**  
**Interpretation**

Code Interpretation Number: \_\_\_\_\_

Code Section(s): \_\_\_\_\_

Volume: \_\_\_\_\_ Edition: \_\_\_\_\_

---

---

QUESTION:

---

---

ANSWER:

---

---

This Official Interpretation was issued by the State Building Code  
Technical Review Board at their meeting of \_\_\_\_\_



Commonwealth of Virginia  
Department of Housing and Community Development  
205 N. Fourth Street  
Richmond, Virginia 23219

**Application for Appeal**

Date \_\_\_\_\_

Pursuant to §36-114 of the Code of Virginia (1950), as amended, I hereby request an appeal before the State Building Code Technical Review Board, relative to the following:

Appellant - (Applicant)	vs.	Appellee
Name _____		_____
Address _____		_____
_____		_____
Representing _____		_____
_____		_____

If building owned by other than Appellant, show owner's complete name and address:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Background Information:**

1. Type or Use of Building or Structure: \_\_\_\_\_  
\_\_\_\_\_
2. Location: \_\_\_\_\_  
\_\_\_\_\_
3. Modification Request: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**COMMENTS:**

Copy of Building Official's Decision  
Copy of Decision of local Board of Appeals  
Supplemental Data

**Action for Appeal**

- 1. Building Official refuses to grant modification. \_\_\_\_\_
- 2. True intent of code or rules legally adopted thereunder have been incorrectly interpreted \_\_\_\_\_
- 3. Provisions of code do not fully apply. \_\_\_\_\_
- 4. Equally good or better form of construction can be used. \_\_\_\_\_

**Staff Action:**

Request for Appeal Received \_\_\_\_\_  
Chairman Contacted \_\_\_\_\_  
Date of Appeal \_\_\_\_\_  
Notice Mailed \_\_\_\_\_

Staff input, if any \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Commonwealth of Virginia  
Board of Housing and Community Development  
Codes and Standards Committee  
205 N. Fourth Street  
Richmond, Virginia 23219

Code  
Change No. \_\_\_\_\_  
  
See Also  
Change No. \_\_\_\_\_

---

---

Committee Recommendation \_\_\_\_\_

---

---

---

---

Do Not Write Above This Line

\_\_\_\_\_ Code                      Section \_\_\_\_\_

Proponent \_\_\_\_\_

(Check One)

Change Subsection to read  
as follows.

Add new subsection to read  
as follows.

Delete subsection and  
substitute as follows.

Delete subsection without  
substitution.

Give here the specific code changes, with the exact rewording proposed.  
Show material in brackets [ ] to be deleted from present text. Show material  
underscored \_\_\_\_\_ to be added to present text.

---

---

Supporting Statement(s):

Submit four (4) copies of each proposed change with four copies of supporting information. Additional copies of this form available from the Department of Housing and Community Development, 205 N. Fourth Street, Richmond, Virginia 23219.



**CHALLENGE FORM**

**PROPOSED CHANGES TO THE UNIFORM STATEWIDE BUILDING CODE**

A Notice of Challenge to the Board of Housing and Community Development's Recommendation for Proposed Changes to the Uniform Statewide Building Code.

---

**TO:** Chairman, Codes and Standards Committee  
Board of Housing and Community Development

**FROM:** \_\_\_\_\_  
(Name of Challenger) (Title/Position)

\_\_\_\_\_  
(Company/Agency/Association)

\_\_\_\_\_  
(Street Address) (A/C-Telephone Number)

\_\_\_\_\_  
(City) (State) (Zip)

**RE:** I Challenge the Recommendation of the Board of Housing and Community Development for the proposed change to

\_\_\_\_\_  
(Article) (Section)

\_\_\_\_\_  
(Volume)

\_\_\_\_\_  
(Signature)

**SUPPORTING STATEMENT:**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I (will) (will not) appear or be represented at the Public Hearing.



**Part B**

**CHAPTER 6**

***Uniform Statewide Building Code***

<b>Article 1.</b>		<b>Article 2.</b>	
<b>General Provisions</b>		<b>State Building Code Technical Review Board</b>	
<b>Sec.</b>		<b>Sec.</b>	
36-97.	Definitions.	36-108.	Board continued; members
36-98.	Board to promulgate State-wide Code, other codes and regulations superseded.	36-109.	Officers; secretary.
36-99.	Provisions of Code.	36-110.	Expenses.
36-99.1.	Certification of electrical and plumbing workers.	36-111.	Oath and bonds.
36-99.2.	Standards for replacement glass.	36-112.	Meetings.
36-100.	Notice and hearing on adoption of Code, amendments and repeals.	36-113.	Offices.
36-101.	Effective date of Code, when local codes may remain in effect.	36-114.	Board to hear appeals from decisions under Code.
36-103.	Modification, amendment or repeal of Code provisions.	36-115.	Subpoenas; witnesses; designation of subordinates.
36-103.	Buildings, etc., existing or projected before effective date of Code.	36-116.	(Repealed)
36-104.	Code to be printed and furnished on request; true copy.	36-117.	Record of decisions.
36-105.	Enforcement of Code.	36-118.	Interpretation of Code; recommendation of modifications.
36-106.	Violation a misdemeanor.	36-119.	Rules and regulations under §36-73 not superseded.
36-107.	Employment of personnel for administration of chapter.		

**ARTICLE 1**  
**General Provisions**

**§36-97. Definitions** — As used in this chapter, unless the context or subject matter requires otherwise, the following words or terms shall have the meaning herein ascribed to them, respectively:

- (1) "**Board**" means the Board of Housing and Community Development.
- (2) (3) (Repealed.)
- (4) "**Review Board**" means the State Building Code Technical Review Board.
- (5) "**Building Code**" means the Uniform Statewide Building Code.
- (6) "**Code provisions**" means the provisions of the Uniform Statewide Building Code as adopted and promulgated by the Board, and the amendments therof as adopted and promulgated by such Board from time to time.
- (7) "**Building regulations**" means any law, rule, resolution, regulation, ordinance or code, general or special, or compilation thereof, heretofore or hereafter enacted or adopted by the State or any county or municipality including departments, boards, bureaus, commissions, or other agencies thereof, relating to construction, reconstruction, alteration, conversion, repair, maintenance, or use of structures and buildings and installation of equipment therein. The term does not include zoning ordinances or other land use controls that do not affect the manner of construction or materials to be used in the erection, alteration or repair of a building or structure.
- (8) "**Municipality**" means any city or town in this State.
- (9) "**Local governing body**" means the governing body of any city, county or town in this State.
- (10) "**Local building department**" means the agency or agencies of any local governing body charged with the administration, supervision, or enforcement of building codes and regulations, approval of plans, inspection of buildings, or issuance of permits, licenses, certificates or similar documents prescribed or required by State or local building regulations.
- (11) "**State agency**" means any State department, board, bureau, commission, or agency of this State.
- (12) "**Building**" means a combination of any materials, whether portable or fixed, having a roof to form a structure for the use or occupancy by persons, or property; provided, however, that farm buildings not used for residential purposes and frequented generally by the owner, members of his family, and farm employees shall be exempt from the provisions of the Uniform Statewide Building Code, but such buildings lying within flood plain or in a mudslide-prone area shall be subject to flood proofing regulations or mudslide regulations, as applicable. The word "building" shall be construed as though followed by the words "or part or parts thereof" unless the context clearly requires a different meaning.
- (13) "**Equipment**" means plumbing, heating, electrical, ventilating, air-conditioning and refrigeration equipment, elevators, dumb waiters, escalators, and other mechanical additions or installations.
- (14) "**Construction**" means the construction, reconstruction, alteration, repair or conversion of buildings.

(15) "**Owner**" means the owner or owners of the freehold of the premises or lesser estate therein, a mortgagee or vendee in possession, assignee of rents, receiver, executor, trustee, lessee or other person, firm or corporation in control of a building.

(16) (Repealed.)

(17) "**Director**" means the Director of the Department of Housing and Community Development.

(18) "**Structure**" means an assembly of materials forming a construction for occupancy or use including stadiums, gospel and circus tents, reviewing stands, platforms, stagings, observation towers, radio towers, water tanks, trestles, piers, wharves, swimming pools, amusement devices, storage bins, and other structures of this general nature; provided however, that farm structures not used for residential purposes shall be exempt from the provisions of the Uniform Statewide Building Code, but such structures lying within a flood plain or in a mudslide prone area shall be subject to flood proofing regulations or mudslide regulations, as applicable. The word "structure shall be construed as though followed by the words "or part or parts thereof" unless the context clearly requires a different meaning.

(19) "**Department**" means the Department of Housing and Community Development. (1972, c. 829; 1974, cc. 622, 668; 1975, c. 384; 1977, cc. 423, 613; 1978, c. 703.)

§ 36-98. Board to promulgate Statewide Code; other codes and regulations superseded. — The Board is hereby directed and empowered to adopt and promulgate a Uniform statewide Building Code. Such Building Code shall supersede the building codes and regulations of the counties, municipalities and State agencies. (1972, c. 829; 1977, c. 613.)

§ 36-99. Provisions of Code. — The Building Code shall prescribe standards to be complied with in the construction of buildings and structures, and procedures for the administration and enforcement of such standards. The provisions thereof shall be such as to protect the health, safety and welfare of the residents of this State, provided that buildings and structures should be permitted to be constructed at the least possible cost consistent with recognized standards of health, safety, energy and water conservation and barrier-free provisions for the physically handicapped and aged. Such standards shall be reasonable and appropriate to the objectives of this chapter.

In formulating the Code provisions, the Board shall have due regard for generally accepted standards as recommended by nationally recognized organizations, including, but not limited to, the standards of the Southern Building Code Congress, the Building Officials Conference of America and the National Fire Protection Association.

Where practical, the Code provisions shall be stated in terms of required level of performance,

so as to facilitate the prompt acceptance of new building materials and methods. When generally recognized standards of performance are not available, such provisions shall provide for acceptance of

materials and methods whose performance has been found by the Board, on the basis of reliable test and evaluation data, presented by the proponent, to be substantially equal in safety to those specified. (1972, c. 829; 1974, c. 433; 1975, c. 394; 1977, cc. 423, 613; 1978, c. 581.)

§ 36-99.1. Certification of electrical and plumbing workers. — No electrical worker or plumbing worker shall be required to be examined or certified by the Board or by the locality at the direction of the Board if such person was certified or licensed for two years prior to January one, nineteen hundred eighty, in accordance with provisions made by any local governing body, provision required of any local governing body or provision made by the Commonwealth. (1974, c. 437; 1977, c. 613; 1978, cc. 268, 751.)

§ 36-99.2. Standards for replacement glass. — Any replacement glass installed in buildings constructed prior to the effective date of the Uniform Statewide Building Code shall meet the quality and installation standards for glass installed in new buildings as are in effect at the time of installation. (1976, c. 137.)

§ 36-100. Notice and hearings on adoption of Code, amendments and repeals. — Before any Code provisions are adopted, the Board shall hold at least one public hearing. At least thirty days' notice thereof shall be given by publication in at least four newspapers of general circulation published in the State. In addition to notice by publication, the board shall notify in writing the mayor or other like official of every municipality in the State, and the chairman of the governing body of every county in the State of such hearing, but failure to give or receive any such notice shall not in anywise impair the validity of any Code provisions adopted, amended or repealed. At any such hearing all persons desiring to do so shall be afforded an opportunity to present their views. Notice of amendments to or repeal of any Code provisions theretofore adopted shall be given as aforesaid. (1972, c. 829; 1977, c. 613.)

§ 36-101. Effective date of Code; when local codes may remain in effect. — No Code provisions shall be made effective prior to January one, nineteen hundred seventy-three, or later than September one, nineteen hundred seventy-three; provided that the initial Building Code shall not become effective earlier than one hundred eighty days after the publication thereof.

It is further provided that where, in the opinion of the Review Board, local codes are in substantial conformity with the State Code the local code may, with the concurrence of the Review Board remain in effect for two years from the effective day of the State Code for transition to implementation of the State Code. (1972, c. 829.)

§ 36-102. Modification, amendment or repeal of Code provisions. — The Board may modify, amend or repeal any Code provisions from time to time as the public interest requires, after notice and hearing as provided in § 36-100 of this chapter. No such modification or amendment shall be made effective earlier than thirty days from the adoption thereof. (1972, c. 829; 1977, c. 613.)

§ 36-103. Buildings, etc., existing or projected before effective date of Code. — Any building or structure, for which a building permit has been issued or on which construction has commenced, or for which working

drawings have been prepared in the year prior to the effective date of the Building Code, shall remain subject to the building regulations in effect at the time of such issuance or commencement of construction. Subsequent reconstruction, renovation, repair or demolition of such buildings or structures shall be subject to the pertinent provisions of the Building Code. The provisions of this section shall be applicable to equipment. (1972, c. 829; 1976, c. 638.)

**§ 36-104. Code to be printed and furnished on request; true copy.** — The Department shall have printed from time to time and keep available in pamphlet form all Code provisions. Such pamphlets shall be furnished upon request to members of the public. A true copy of all such provisions adopted and in force shall be kept in the office of Department, accessible to the public. The Department may charge a reasonable fee for distribution of the Building Code based on production and distribution costs (1972, c. 829, 1974, c. 298, 1977, c. 618.)

**§ 36-105. Enforcement of Code; appeals from decisions of local department.** — Enforcement of the Building Code shall be the responsibility of the local building department. There shall be established within each local building department a local board of Building Code appeals whose composition, duties and responsibilities shall be prescribed in the Building Code. Appeals from the local building department concerning application of the Building Code or refusal to grant a modification to the provisions of the Code covering the manner of construction or materials to be used in the erection, alteration or repair of a building or structure shall first lie to the local board of Building Code appeals. No appeal to the State Building Code Technical Review Board shall lie prior to a final determination by the local board of Building Code appeals. Whenever a county or a municipality does not have such a building department or board of Building Code appeals, 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 the Department, for such enforcement and appeals resulting therefrom. Fees may be levied by the local governing body in order to defray the cost of such enforcement and appeals.

Any building may be inspected at any time before completion, and shall not be deemed in compliance until approved by the inspecting authority but where the construction cost is less than one thousand dollars the building inspection may, in the discretion of the inspecting authority, be waived. (1972, c. 829; 1974, c. 433; 1977, cc. 423, 613.)

**§ 36-106. Violation a misdemeanor.** — It shall be unlawful for any owner or any other person, firm or corporation, on or after the effective date of any Code provisions, to violate any such provisions. Any such violation shall be deemed a misdemeanor and any owner or any other person, firm or corporation convicted of such a violation shall be punished by a fine of not more than one thousand dollars. (1972, c. 829; 1975, c. 367.)

**§ 36-107. Employment of personnel for administration of chapter.** — Subject to the provisions of chapter 10 (§ 2.1-110 et seq.) of Title 2.1 of the Code of Virginia, the Director may employ such permanent and temporary clerical, technical and other assistants as are necessary or advisable for the

proper administration of the provision of this chapter. (1972, c. 829, 1974, c. 668; 1977, c. 613.)

**§ 36-108. Board continued; members.** — There is hereby continued in the Department, the State Building Code Technical Review Board, consisting of seven members, appointed by the Governor subject to confirmation by the General Assembly. The members shall include one member who is a registered architect, selected from a slate presented by the Virginia Society of the American Institute of Architects; one member who is a professional engineer in private practice, selected from a slate presented by the Virginia Society of Professional Engineers; one member who is a residential builder selected from a slate presented by the Home Builders Association of Virginia; one member who is a general contractor selected from a slate presented by the Virginia Branch, Associated General Contractors of America, one member who has had experience in the field of enforcement of building regulations, selected from a slate presented by the Virginia Building Officials Conference; one member who is employed by a public agency as a fire prevention officer selected from a slate presented by the Virginia Fire Chiefs' Association; and one member from the State at large who may be a member of a local governing body. The members shall serve at the pleasure of the Governor. (1972, c. 829; 1974, c. 668; 1976, c. 484; 1977, cc. 92, 613.)

**§ 36-109. Officers; secretary.** — The Review Board, under rules adopted by itself, shall elect one of its members as chairman, for a term of two years, and may elect one of its members as vice-chairman. The review board may also elect a secretary, who may be a nonmember. (1972, c. 829.)

**§ 36-110. Expenses.** — The members of the Review Board shall receive no salaries, but shall be paid their necessary traveling and other expenses incurred in attendance of meetings or while otherwise engaged in the discharge of their duties and, in addition thereto, shall be paid the sum of thirty-five dollars a day for each day or portion thereof in which they are engaged in the performance of their duties. (1972, c. 829; 1974, c. 668.)

**§ 36-111. Oath and bonds.** — Before entering upon the discharge of his duties, each member of the Review Board shall take an oath that he will faithfully and honestly execute the duties of his office during his continuance therein, and shall give bond with corporate surety in such penalty as may be fixed by the Governor, conditioned upon the faithful discharge of his duties. The premiums on such bonds shall be paid for as other expenses of the Department are paid. (1972, c. 829; 1974, c. 668; 1977, c. 613.)

**§ 36-112. Meetings.** — The Review Board shall meet at the call of the chairman, or at the written request of at least three of its members; provided that it shall act within thirty days following receipt of any appeal made under the provisions of this chapter. (1972, c. 829.)

**§ 36-113. Offices.** — The Review Board shall be furnished adequate space and quarters in the suite of offices of the Department and such Board's main office shall be therein. (1972, c. 829; 1974, c. 668; 1977, c. 613.)

§ 36-114. Board to hear appeals from decisions under Code. — The Review Board shall have the power and duty to hear all appeals from decisions arising under application of the Building Code, and to render its decision on any such appeal, which decision shall be final if no appeal is made therefrom. Proceedings of the Review Board shall be governed by the provisions of chapter 1, 1:1 of Title 9 (§ 9-6, 14:1 et seq.) of the Code of Virginia. (1972, c. 829, 1977, c. 423.)

§ 36-115. Subpoenas; witnesses; designation of subordinates. — In any matter before it on appeal for hearing and determination, the Review Board, or its designated subordinates, may compel the attendance of all needed witnesses in like manner as a circuit court, save the Review Board shall not have the power of imprisonment. In taking evidence, the chairman or any member of the review board, or its designated subordinates, shall have the power to administer oaths to witnesses. Where a designated subordinate or the review Board presides over hearings on appeals, such subordinate shall submit recommended findings and a decision to the Review Board Pursuant to § 9-6, 14:12 of the Code of Virginia. (1972, c. 829, 1977, c. 423.)

§ 36-116. Repealed by Acts 1977, c. 613.

§ 36-117. Record of decisions. — A record of all decisions of the Review Board, properly indexed, shall be kept in the office of such Board. Such record shall be open to public inspection at all times during business hours. (1972, c. 829.)

§ 36-118. Interpretation of Code; recommendation of modifications. — The Review Board shall interpret the provisions of the Building Code, the Fire Safety Code, and shall make such recommendations, which it deems appropriate, to the Board for modification, amendment or repeal of any of such provisions. A record of all such recommendations, and of the Board's actions thereon, shall be kept in the office of the Review Board. Such record shall be open to public inspection at all times during business hours. (1972, c. 829; 1977, c. 613.)

§ 36-119. Rules and Regulations, under § 36-73 not superseded. — This chapter shall not amend, supersede, or repeal the rules and regulations prescribing standards to be complied with, in industrialized building units and mobile homes promulgated unde § 36-73 of the Code of Virginia. (1972, c. 829.)

## CHAPTER 7

### *State Board of Housing*

§ 36-120 to 36-130: Repealed by Acts 1977, c. 613.

## CHAPTER 8

### *Department of Housing and Community Development*

Sec.		Sec.	
36-131.	Definitions.	36-136.	Meetings of Board
36-132.	Creation of Department; appointment of Director.	36-137.	Powers and duties of Board
36-133.	Director to supervise Department.	36-138.	Compensation of members of Board
36-134.	General powers of Director	36-139.	Powers and duties of Director.
36-135.	Board of Housing and Community Develop- ment created; members; terms, chairman.		

§ 36-131. **Definitions.** — As used in this chapter, the following words and terms have the following meanings, unless a different meaning clearly appears from the context.

A. **"Department"** means the Department of Housing and Community Development.

B. **"Director"** means the Director of the Department of Housing and Community Development.

C. **"Board"** means the Board of Housing and Community Development. (1977, c. 613.)

§ 36-132. **Creation of Department; appointment of Director.** — There is hereby created in the executive department, responsible to the Secretary of Commerce and Resources, the Department of Housing and Community Development. The Department shall be headed by a Director who shall be appointed by the Governor, subject to confirmation by the General Assembly, to serve at the pleasure of the Governor for a term coincident with his own. (1977, c. 613.)

§ 36-133. **Director to supervise Department.** — The Director of the Department of Housing and Community Development shall, under the direction and control of the Governor and the Secretary of Commerce and Resources, be responsible for the supervision of the Department and shall exercise such other powers and perform such other duties as may be required of him by the Governor and the Secretary of Commerce and Resources. (1977, c. 613.)

§ 36-134. **General Powers of Director.** — The Director shall have the following general powers.

A. To employ such personnel as may be required to carry out the purposes of this chapter.

B. To make and enter into all contracts and agreements necessary or incidental to the performance of the Department's duties and the execution of its powers under this chapter, including, but not limited to, contracts with the United States, other states, agencies and governmental subdivisions of this Commonwealth.

C. To accept grants from the United States government and agencies and instrumentalities thereof and any other source. To these ends, the Department shall have the power to comply with such conditions and execute such agreements as may be necessary, convenient or desirable.

D. To do all acts necessary or convenient to carry out the purposes of this chapter. (1977, c.613.)

§ 36-135. Board of Housing and Community Development created; members; terms; chairman. — There is hereby created within the Department of Housing and Community Development the Board of Housing and Community Development. The Board shall consist of nine members appointed by the Governor, subject to confirmation by the General Assembly. Members shall serve for four-year terms and no member shall serve for more than two full successive terms. Initial appointments to the Board shall be made as follows: Two shall be for terms of one year, two shall be for terms of two years, two shall be for terms of three years, and three shall be for terms of four years each, and thereafter all appointments shall be for terms of four years each. A chairman of the Board shall be elected annually by the Board. (1977, c. 613.)

§ 36-136. Meetings of Board. — The Board shall meet at least once every three months, and on the call of the chairman, when, in his opinion, additional meetings are necessary. (1977, c. 613.)

§ 36-137. Powers and duties of board. — The Board shall exercise the following powers and duties, and such others as may be provided by law:

A. Provide a means of citizen access to the Department.

B. Provide a means of publicizing the policies and programs of the Department in order to educate the public and elicit public support for Department activities.

C. Monitor the policies and activities of the Department and have the right of access to departmental information.

D. Advise the Governor, the Secretary of Commerce and Resources and the Director on matters relating to housing and community development.

E. From time to time make such rules and regulations as may be necessary to carry out its responsibilities and from time to time thereafter to repeal or amend such rules.

F. To promulgate design standards relative to making places of public accommodation constructed, remodeled or rehabilitated in this State after the effective date of the standards promulgated under this section reasonably accessible to and useable by physically handicapped persons, as defined in § 2.1-109.02, at the least possible cost to those subject to the

standards; provided, however, that construction, remodeling or rehabilitation done under contracts for planning, design or construction of places of public accommodation which have been awarded prior to the effective date of standards promulgated under this section shall not be subject to such standards. Within the meaning of this subsection "places of public accommodation" shall mean all auditoriums, hospitals, nursing homes, convalescent homes, theatres, stadiums, convention centers, restaurants, hotels, motels, shopping centers and malls, department stores, supermarkets, public transportation terminals, medical buildings, medical and dental offices, apartment developments containing more than twenty dwelling units, and office buildings containing ten thousand or more square feet of gross floor area. The Board shall also have the power and duty to recommend design standards which would make all buildings, structures, facilities, complexes or improved areas accessible to physically handicapped persons. (1977, c. 613; 1978, c. 751)

§ 36-138. Compensation of members of Board. — Members of the Board shall receive compensation of fifty dollars per day for each day they are engaged in the performance of their official duties, and shall be reimbursed for actual expenses incurred in the discharge of their duties. (1977, c. 613.)

§ 36-139. Powers and duties of Director. — The Director shall have the following responsibilities:

A. Collecting from the governmental subdivisions of the Commonwealth information relevant to their planning and development activities, boundary changes, changes of forms and status of government, intergovernmental agreements and arrangements, and such other information as it may deem necessary.

B. Making information available to communities, planning district commissions, service districts and governmental subdivisions of the Commonwealth.

C. Providing professional and technical assistance to, and cooperating with, any planning agency, planning district commission, service district, and governmental subdivision engaged in the preparation of development plans and programs, service district plans, or consolidation agreements.

D. Assisting the Governor in the providing of such State financial aid as may be appropriated by the General Assembly in accordance with § 15.1-1412 of the Code of Virginia.

E. Administering federal grant assistance programs, including funds from the Appalachian Regional Commission, the Economic Development Administration and other such federal agencies, directed at promoting the development of the Commonwealth's communities and regions.

F. Developing State housing and community development policies, goals, plans and programs for the consideration and adoption of the Board with the ultimate authority for adoption to rest with the Governor and the General Assembly.

G. Determining present and future housing requirements of the State and designing programs to coordinate the elements of housing production which programs shall be designed to assure the availability of housing where and when needed.

H. Assuming administrative coordination of the various State housing programs and cooperating with the various State agencies in their programs as they relate to housing.

I. Establishing public information and educational programs relating to housing; devising and administering programs to inform all citizens about housing and housing-related programs that are available on all levels of government; designing and administering educational programs to prepare families for home ownership and counseling them during their first years as homeowners; and promoting educational programs to assist sponsors in the development of low and moderate income housing as well as programs to lessen the problems of rental housing management.

J. Administering the provisions of the Urban Assistance Incentive Fund as set forth in § 15.1-1500 through 15.1-1505 of the Code of Virginia.

K. Administering the provisions of the Industrial Building Unit and Mobile Home Safety Law.

L. Administering the provisions of the Uniform Statewide Building Code.

M. Administering the provisions of the Virginia Fire Safety Law.

N. To administer design standards promulgated by the Board pursuant to § 36-137 F.

O. To establish and operate a voluntary training program for the instruction of the personnel of local building departments concerning the content, application and intent of the Uniform Statewide Building Code. Upon the satisfactory completion of such instruction by any person, the Board may grant certification of his successful completions.

P. Carrying out such other duties as may be necessary and convenient to the exercise of powers granted to the Department.

Q. To administer, in conjunction with the federal government and promulgate any necessary rules and regulations regarding energy standards for existing buildings as may be required pursuant to federal law. (1977, c. 613; 1978, cc. 737, 751.)

## **Part C**

### **Adoption of the UNIFORM STATEWIDE BUILDING CODE**

A certain document, which is on file in the Office of the Director of the Department of Housing and Community Development, was adopted on June 19, 1978 as the Uniform Statewide Building Code of the Commonwealth of Virginia, hereinafter sometimes referred to as "this Code", to become effective on August 1, 1978.

The Uniform Statewide Building Code is now comprised of the following texts as fully set out in these regulations with the additions, insertions, deletions and changes, if any, prescribed in Parts D, E, F and G of this Supplement:

The BOCA Basic Building Code/1978

The BOCA Basic Plumbing Code/1978

The BOCA Basic Mechanical Code/1978

The One and Two Family Dwelling Code/1975

The National Electrical Code/1978

The Virginia Administrative Amendments/1978  
(merged into this Accumulative Supplement)

**Part D**  
**BOCA Basic Building Code/1978**

**Section 100.1 Change total paragraph to read as follows:**

**Title:** These regulations shall be known as the Uniform Statewide Building Code, herein referred to as this Code; and shall apply to buildings and structures constructed after effective date of September 1, 1973.

Pursuant to § 36-103 Code of Virginia those buildings which are not covered by the Uniform Statewide Building Code remain subject to local building codes.

The local jurisdiction has the authority to adopt provisions for condemnation and maintenance of buildings exempt from this Code.

**Section 100.2 Add the following in (Name of jurisdiction):**

*State of Virginia*

**Section 100.4 Add underlined words:**

**Code remedial:** This code shall be construed to secure its expressed intent, which is to insure public safety, health and welfare insofar as they are affected by building construction, provisions for energy conservation and accessibility to the physically handicapped, through structural strength, adequate egress facilities, sanitary equipment, light and ventilation and fire safety; and, in general, to secure safety to life and property from all hazards incident to the design, erection, repair, removal, demolition or use and occupancy of buildings, structures or premises.

**Section 101.3 Delete words in parentheses:**

**Matters not provided for:** Any requirement essential for structural, fire or sanitary safety of (an existing or proposed) a building or structure, or essential for the safety of the occupants thereof, and which is not specifically covered by this code, shall be determined by the building official.

**Section 101.5 Delete total sub-section**

**Section 102.1 Change total paragraph to read as follows:**

**General:** the term "ordinary repairs" shall mean the replacement of existing materials with like materials, such as painting, roofing, siding, glass, doors, windows, flooring, plaster, wall board, cabinets and the like, but shall not include, alterations, additions, structural repairs, or the addition to, alteration of, replacement or relocation of any plumbing, electrical or mechanical, wiring, piping or equipment or other work affecting health or general safety.

**Section 104.1 Add the following:**

**NOTE:** This Section shall not prohibit the enforcement of an existing or adoption of a fire prevention ordinance.

**Section 106.0 Delete entire section and substitute as follows:**

**NOTE:** Refer to § 36-103 Code of Virginia.

**Section 107.1 Change total paragraph to read as follows:**

**Building official:** Each local building department shall have an executive official in charge, who shall be known as the building official.

**Section 107.2 Delete total sub-section**

**Section 107.7 Delete total sub-section**

**Section 108.6 Delete total sub-section**

**Section 108.7.1 Add the following:**

*The Building Official should upon request submit a monthly report to the Department of Housing and Community Development on forms provided by the Department.*

**Section 110.1.a Add following sub-section:**

**Inspection Requirements:** It shall be the responsibility of the permit holder or his representative to notify the Building Official when certain stages of construction are reached and no work requiring an inspection shall be concealed without approval of the Building Official or his representative.

**Section 110.1.b Add following sub-section:**

**Inspection Time:** The Building Official shall respond to inspection requests without unreasonable delay, and shall approve the work or give written notice of defective work to the permit holder or his agent in charge of the work. Such defects shall be corrected and reinspected before any work proceeds that would conceal them.

**Section 110.1.c Add following sub-section:**

**Minimum Inspections:** Inspections shall include but not be limited to:

1. The bottom of footing trenches after all reinforcement steel is set and before any concrete is placed.
2. The installation of piling: The Building Official may require the installation of pile foundations to be supervised by the owner's architect or engineer or by such professional as approved by the Building Official.
3. Reinforced concrete beams, columns and slabs after all reinforcing is set before any concrete is placed.
4. Structural framing and fastenings, prior to covering with concealing materials.
5. All concealed, electrical, mechanical and plumbing work prior to installation of any concealing materials.
6. Required insulating materials before covering with any materials.

**Section 112.3 Change total sub-section to read as follows:**

**By whom application is made:** *When required by the building official, application for a permit shall be made by the owner or lessee of the building or structure, or agent of either, or by the licensed engineer or architect employed in connection with the proposed work. If the application is made by a person other than the owner in fee, it shall be accompanied by a duly verified affidavit of the owner or the qualified person making the application that the proposed work is authorized by the owner in fee and that the applicant is authorized to make such application. The full names and addresses of the owner, lessee, applicant and of the responsible officers, if the owner or lessee is a corporate body, shall be stated in the application.*

**Section 112.3.1 Add new sub-section as follows:**

**ADD: Owner performance:** Nothing herein contained shall prohibit the owner of a single family dwelling, when owner occupied, from personally undertaking construction, replacement and/or repair of equipment in his own residence under the conditions specified in the following sections:

**Section 112.3.1.a Add new sub-section as follows:**

**Approval of plans:** Approval of plans and final approval of the building official shall be obtained.

**Section 112.3.1b Add new sub-section as follows:**

**Permit:** A permit shall be secured as herein provided before the work is performed.

**Section 112.3.1c Add new sub-section as follows:**

**Work:** All work shall be performed by the owner in accordance with the provisions of this code.

**Section 112.3.1d Add new sub-section as follows:**

**Tests:** The owner shall make application for all required inspections and tests.

**112.5 Add the following:**

**Note #1.** In compliance with Section 36-103, Code of Virginia, working drawings prepared within a year prior to a change in Building Code remain subject to the Building Code in effect prior to change.

**Note #2.** *Use group R-4 requirements for detailed plans may be waived by the building official, provided specifications are submitted which satisfactorily indicate compliance.*

**112.7 Add the following:**

**Note:** *Chapter 3 Title 54 Code of Virginia governs the requirements for architects and engineers practicing in Virginia.*

**113.3 Delete total sub-section.**

**117.0 Delete sub-sections 117.1 thru 117.8**

**117.1 Substitute the following:**

Fees for permits are to be established under local ordinances. Enforcement of the Code is the responsibility of the local building department (§ 36-105, Code of Virginia).

**118.0 Delete total section**

**121.4 Change total sub-section to read as follows:**

**Violation penalties:** § 36-106. Violation a misdemeanor. It shall be unlawful for any owner or any other person, firm or corporation, on or after the effective date of any Code provisions, to violate any such provisions. Any such violation shall be deemed a misdemeanor and any owner or any other person, firm or corporation convicted of such a violation shall be punished by a fine of not more than one thousand dollars. (1972, c. 829; 1975, c. 367.)

**121.5 Add the following:**

**Note:** See § 36-106 of Code of Virginia

**125.0 Delete Total Section**

**126.2.2 Change total sub-section to read as follows:**

**Qualifications of board members:** Each member shall be a licensed professional engineer or architect, or a builder or superintendent of building construction, with at least ten (10) years of experience, for five (5) years of which he shall have been in responsible charge of work; and there shall not be more than two (2) members of the board selected from the same profession or business; and at least one (1) of the professional engineers shall be a licensed structural or civil engineer of architectural engineering experience. *Alternate qualifications may be allowed for local board members.*

**126.6 Change total sub-section to read as follows:**

**Board Review:** Any person aggrieved by a decision of the board of appeals, whether or not a previous party to the decision, or any officer or official board of the jurisdiction, may apply to the *State Building Code Technical Review Board*. Application for review shall be made to the *State Building Code Technical Review Board* within 15 days of the filing of the board's decision in the office of the building official.

**126.7 Add new sub-section as follows:**

**Court Review:** An appeal from the review Board shall be in accordance with the provisions of Section 9-6.13 of the Code of Virginia, and an appeal shall lie to the supreme court as provided in Section 9-6.14 of such Code.

**127.0 Delete total section.**

**300.1 Change total sub-section to read as follows:**

**Scope:** The provisions of this article shall control the division of the local jurisdiction into fire limits and the general limitations of height and area of all buildings hereafter erected, and extensions to existing buildings hereafter altered or enlarged as affected by the fire and life hazard incident to type of construction, use group, density of development, exterior exposure and accessibility of buildings and structure to firefighting facilities and equipment.

**301.2 Change total sub-section to read as follows:**

**Fire limits:** The fire limits shall comprise the areas containing congested business, commercial manufacturing and industrial uses or in which such uses are developing. The limits of such areas are described as established by local ordinance.

**Table 305 Add the following:**

**Note:** Number of stories above grade plane are determined as follows:

The floor to floor distance of the lowermost level is divided into equal thirds. If the ratio of exposed area of the lowest level exterior wall to the total area of the lower level exterior wall is less than 1/3, the level is counted as zero stories. If this ratio is greater than 1/3 and less than 2/3, the level is counted as one half story; if the ratio is greater than 2/3 then the level is counted as one (1) story.

**315.0 Add the following:**

**Note:** A definition of buildings covered and number of units required by this section are covered by § 36-137, Code of Virginia (see Part A).

**402.2.1 Add the following:**

**Note:** *Installation in accordance with NFIPA standard 30 shall be deemed in compliance with this Code.*

**406.3 Add the following:**

**Note:** *Installation in accordance with NFIPA standards shall be deemed to be in compliance with this Code.*

**424.1 Delete total sub-section, add the following:**

**Note:** *Refer to § 36-73 Code of Virginia (Industrialized Building Unit and Mobile Home Safety Law).*

**424.2 Delete total sub-section**

**424.3 Delete total sub-section**

**424.3.1 Change total sub-section to read as follows:**

**Anchorage and Tie-down:**

Mobile homes shall not be permanently anchored to foundations. Where the mobile home is to be used in one location for a protracted period, a system of stabilizing devices conforming to accepted engineering practices shall be used. The manufacturer shall provide printed instructions with each mobile home specifying the location, required capacity and other details of stabilizing devices (tiedowns, piers, blocking, footings, etc.) on which the design of the unit is based. Footings or foundations on which piers or other stabilizing devices are mounted shall be carried down to the established frost line.

**424.3.2 Required Anchorage:**

- (a) Mobile homes installed or relocated in the Hurricane zone on or after October 15, 1974 and mobile homes installed or relocated outside of the Hurricane zone on or after April 15, 1975 shall be anchored in accordance with this section.
- (b) The Hurricane zone includes the following counties and all cities located therein, contiguous thereto, or to the east thereof:

Accomack	King William	Richmond
Charles City	Lancaster	Surry
Essex	Mathews	Sussex
Gloucester	Middlesex	Southampton
Greensville	Northumberland	Westmoreland
Isle of Wight	Northampton	York
James City	New Kent	
King & Queen	Prince George	

- (c) Mobile homes equipped by the manufacturer with a system of tie-downs designed in accordance with one of the reference standards listed at the end of this section, shall be attached vertically and

diagonally to a system of ground anchors in a manner adequate to resist wind overturning and sliding as imposed by the design loads. Mobile homes hereafter installed in the Hurricane zone shall be of "Hurricane and Windstorm Resistive" design as defined by the applicable reference standards listed at the end of this section. Mobile homes not equipped by the manufacturer with a system of tiedowns shall be anchored in a manner deemed adequate by the local building official to resist wind overturning and sliding as imposed by the design loads of the applicable reference standards listed below.

#### REFERENCE STANDARDS

- (1) **ANSI A119.1 (NFPA No. 501B), Standard for Mobile Homes, Body and Frame Design and Construction Requirements, and the Installation of Plumbing, Heating and Electrical Systems.**

American National Standards Institute  
1430 Broadway, New York, New York 10018

- (a) Either the 1974 or 1975 Edition, until superseded by the Federal Mobile Home construction and Safety Standards, with the following amendment:

Part C, Section 11.2.1 - Water Connection - Add the following sentence: A master cold water shut off full flow valve shall be installed on the main feeder line in an accessible area.

- (2) **Federal Mobile Home Construction and Safety Standards, U. S. Department of Housing and Urban Development; Part 280, Code of Federal Regulations.** May be used as an option to the ANSI A119.1 Standard listed above.

- (a) Standards published in the Federal Register, Volume 40, Number 244, on December 18, 1975 - no time limit.

**424.3.3 Placement of Ground Anchors:** Unless the entire tiedown, system, including ground anchors, is designed by a professional engineer or architect ground anchors shall be placed as follows:

**424.3.4 Hurricane Zones:** Not more than 12 feet on centers beginning from the front line of the mobile home stand (congruent with the front wall of the mobile home). Not more than 6 feet open-end spacing shall be provided at the rear line of the mobile home stand unless additional tiedowns are installed.

**424.3.5 Nonhurricane Zones:** Not more than 24 feet on centers beginning from the front line of the mobile home stand (congruent with the front wall of the mobile home). Not more than 6 feet open-end spacing shall be provided at the rear line of the mobile home stand unless additional tiedowns are installed.

**424.3.6 Load Capacity:** Each ground anchor shall be capable of resisting an allowable working load equal to or exceeding 3,150 pounds applied in the direction of the tiedown. In addition, each ground anchor shall be capable of withstanding a 50 percent overload without failure.

**424.3.7 Weather Resistance:** Ground anchors shall be resistant to weathering deterioration at least equivalent to that provided by a coating of zinc on steel strapping of not less than 0.30 ounces per square foot of surface coated.

**609.4 Delete:** 5.7 square feet and the following - "The minimum net clear opening height dimension shall be twenty-four (24) inches. The minimum net clear opening width dimension shall be twenty (20) inches"; five (5)

**Add:** Three (3) square feet and the following - "The minimum net clear opening dimension shall be sixteen (16) inches"; three (3)

### **612.5.5 Security Requirement**

#### **612.5.5.1 Add the following:**

**Exterior Swinging Doors:** Exterior swinging doors of each unit of buildings hereafter erected or converted to residential R-1 or R-2 use shall be equipped with a horizontal bolt dead lock, or a dead bolt with not less than five eights (5/8") throw, and the lock on these exterior doors shall be capable of being locked or unlocked by key from the outside and by turn-knob from the inside. Alternate devices providing equal security may be substituted subject to prior approval by the building official.

#### **612.5.5.2 Add the following:**

**Exterior Sliding Doors:** Exterior sliding doors of units of buildings hereafter erected or converted to residential R-1 or R-2 use shall be equipped with locks or hardened steel inserts with mounting screws for the lock case inaccessible from the outside. The lock bolt shall engage the strike sufficiently to prevent its being disengaged by any possible movement of the door with the space of clearance provided for installation and operation. These requirements shall apply to sliding doors opening into patios or balconies which are one story or less above grade, are shared by two or more dwelling units, or are otherwise accessible from the outside. Alternate devices providing equal security may be substituted subject to prior approval by the building official.

#### **612.5.5.3 Add the following:**

**Window Latches:** Window latches shall be provided on all windows which are less than ten feet (10') from the adjoining ground level, or otherwise accessible from the outside for all buildings hereafter erected or converted to residential R-1 or R-2 use.

### **724.1 Change total sub-section to read as follows:**

**Frost protection:** Except when erected upon solid rock or otherwise protected from frost, foundation walls, piers and other permanent supports of all buildings and structures larger than one hundred (100) square feet in area or ten (10) feet in height shall extend below the frost line of the locality, and spread footings of adequate size shall be provided when necessary to properly distribute the load within the allowable bearing value of the soil. Or, such structures shall be supported on piles or ranging timbers when solid earth to rock is not available. Footings shall not be founded on frozen soils

unless such frozen condition is of a permanent character. *The building official shall insert local frost depth, however, the minimum frost line depth shall be twelve (12) inches.*

**872.6 Change total sub-section to read as follows:**

**Floodproofing:** Where a structure is located in a One Hundred (100) Year flood plain, the following performance standards must be satisfied:

- (a) The lowest floor (including basement) of all new construction or substantial improvements to existing structures must be built at or above the level of the One Hundred (100) Year Flood with the exception that non-residential structures, together with attendant utility and sanitary facilities, may be floodproofed to that level in a watertight manner with walls substantially impermeable to the passage of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effects of buoyancy.
- (b) Provide that all new construction and substantial improvements to existing structures within identified coastal high hazard areas be constructed on adequately anchored pilings or columns, and securely anchored to such piles or columns so that the lowest portion of the structural members of the lowest floor (excluding the pilings and columns) is elevated to or above the level of One Hundred (100) Year Flood. The space below the lowest floor shall remain free from obstructions or be constructed with "breakaway walls" intended to collapse under stress without jeopardizing the structural support of the structure so that the impact on the structure by abnormally high tides and wind-driven water is minimized.
- (c) A certification by a registered professional engineer or architect shall be required to assure that the floodproofing and anchoring provisions of subsections (a) and (b) have been satisfied.
- (d) All structures shall be anchored to prevent flotation, collapse, or lateral movement.
- (e) In identified coastal high hazard areas, the use of fill for structural support of buildings shall be prohibited.
- (f) All mobile homes, whether placed in a new, expanded, substantially improved mobile home park or mobile home subdivision, or placed on an individual lot, shall adhere to the following:
  - 1.) Each mobile home shall be constructed and anchored in accordance with the provisions of the "Virginia Industrialized Building Unit and Mobile Home Safety Regulations - Part One."
  - 2.) Adequate surface drainage and access for a mobile home hauler shall be provided.
  - 3.) Stands or lots shall be elevated on compact fill or pilings so that the lowest floor of each mobile home will be at or above the level of the One Hundred (100) Year Flood.

- 4.) When mobile homes are to be elevated on pilings, lots shall be large enough to permit steps, piles shall be placed in stable soil no more than ten (10) feet apart, and reinforcement shall be provided for pilings more than six (6) feet above ground level.
- (g) Provide that all on-site waste disposal systems are located to avoid impairment to them and contamination from them during flooding.

## **DEFINITIONS**

### **1. Coastal High Hazard Area**

An area subject to high velocity waters; including but not limited to hurricane wave wash.

### **2. Mobile Home**

A structure, transportable in one or more sections, which is eight body feet or more in width and is thirty-two body feet or more in length, and which is built on a permanent chasis, and designed to be used with or without permanent foundation, when connected to the required utilities, and includes the plumbing, heating, air-conditioning, and electrical systems contained therein.

### **3. One Hundred (100) Year Flood**

A flood that has one (1) chance in one hundred (100) or a one percent (1%) chance of being equaled or exceeded in any given year.

### **4. Substantial Improvement**

A.) Any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds 50 percent of the market value of the structure either,

- (1) before the improvement or repair is started or
- (2) if the structure has been damaged, and is being restored, before the damage occurred.

For the purposes of this definition "substantial improvement" is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either,

- (1) any project for improvement of a structure to comply with existing state or local health, sanitary, or safety code specifications which are solely necessary to assure safe living conditions or
- (2) any alteration of a structure listed on the National Register of Historic Places or a State Inventory of Historic Places.

B.) The repair, reconstruction or improvement of the streets, utilities and pads in a mobile home park or mobile home subdivision which equals or exceeds 50 percent of the value of the streets, utilities and pads before the repair, reconstruction or improvement has commenced.

**907.7 Add the following:**

**Note:** Fire retardant treated plywood shall be considered as an approved non-cumbustible material.

**1100.2 Change total sub-section to read as follows:**

**Mechanical code:** All mechanical equipment and systems shall be constructed, installed and maintained in accordance with the mechanical code listed in Appendix B. *Installation of boilers and pressure vessels shall also comply with the provisions of the State Safety Codes Commission regulations.*

**1100.3 Add new sub-section to read as follows:**

**Air Pollution Control:** The requirements for air pollution control shall be as prescribed by the State Air Pollution Control Board.

**1300.2 Change total sub-section to read as follows:**

**Other laws:** Nothing herein contained shall be construed to nullify any rules, regulations or statutes of state agencies governing the protection of the public or workmen from health or other hazards involved in manufacturing, mining and other processes and operations which generate toxic gases, dust or other elements dangerous to the respiratory system, eyesight or health.

**Note:** *Certain provisions are regulated by the Department of Labor and Industry.*

**Section 1506.0 Add the following:**

**Note:** Electrical power for artificial lighting shall be limited in accordance with the criteria specified in ASHRAE Standard 90-75 listed in Appendix B and IES Lighting Handbook. This pertains to all structures of 10,000 square feet or more gross floor area.

**1702.1.1 Add new sub-section as follows:**

**Private sewage disposal:** When water closets or other plumbing fixtures are installed in buildings which are not located within a reasonable distance of a sewer, suitable provisions shall be made for disposing of the building sewage by some method of sewage treatment and disposal satisfactory to the administrative authority having jurisdiction. When an individual sewage system is required, *the control and design of this system shall be as approved by the State Department of Health, who must approve the location and design of the system and septic tanks or other means of disposal. Pumping and electrical equipment shall be the responsibility of the building official. When requested in accordance with Section 109. Administrative procedures, modifications may be granted by the building official to use pit privies or other means for reasons of hardship, unsuitable soil conditions or temporary recreational use, upon compliance with the following conditions:*

**A.** *A single parcel of land owned by applicant and single family dwelling being constructed for own use. State Health Department, to approve design and location of sanitary facilities prior to the issuance of building permit.*

**Note:** The design, inspection and approval of any and all lift stations is the responsibility of the Building Official.

1. Temporary recreational use structures and buildings shall mean any structure or building occupied intermittently for recreational purposes only. Such structures or buildings shall be located in areas only as prescribed by local jurisdiction. Such structures or buildings shall not be located within an approved or recorded residential subdivision.
2. Requests found not in compliance with the requirements of Item A and B above, shall be determined on an individual basis by the local building official in conjunction with the State Health Department.

**1704.3 Change total sub-section to read as follows:**

**Private water supply:** When public water mains are not available, a private source of water supply may be used provided samples are submitted periodically to the health official for analysis and approval and the use of such source of supply has been approved by him and the building official. When private water supply is required, the location, construction and testing of the water source shall be as approved by the local State Health Department. Plumbing, pumping and electrical equipment are the responsibility of the building official.

**Note:** The State Department of Health should approve the design and location of private sewer and water systems prior to issuance of a Building Permit.

**1800.1 Change total sub-section to read as follows:**

**Scope:** The provisions of this article shall govern the materials and methods of construction of all prefabricated buildings, prefabricated subassemblies and prefabricated building units as herein defined. *Reference is made to the Virginia Industrialized Building Unit and Mobile Home Safety Regulations for the construction of modular structures.*

**APPENDIX B**

**CONCRETE**

**Delete the following:**

- Reinforced Concrete - Building Code Requirements for . . . . ACI 318-71
- 1976 Accumulative Supplement . . . . . ACI-76

**Add the following:**

- Reinforced Concrete - Building Code Requirements for . . . . ACI 318-77

**EQUIPMENT**

**Delete the following:**

Elevators, Dumbwaiters, Escalators and Moving Walks

- Safety Code for . . . . . ANSI A17.1-71
- 1972 Supplement . . . . . ANSI A17.1a-72
- 1973 Supplement . . . . . ANSI A17.1b-73
- 1974 Supplement . . . . . ANSI A17.1c-74
- 1975 Supplement . . . . . ANSI A17.1d,e,f-75

**Add the following:**

- American National Standard Safety Code for Elevators, Dumbwaiters, Escalators and Moving Walks . . . . . ANSI A17.1-1978

**Part E**

**BOCA Basic Plumbing Code/1978**

**Note:** Any reference to Plumbing Official shall be construed to mean Building Official.

**P-109.0 Delete this total section and add the following:**

**Note:** Refer to Article 1 of the BOCA Basic Building Code/1978.

**P-110.0 Delete this total section and add the following:**

**Note:** Refer to Article 1 of the BOCA Basic Building Code/1978.

**P-122.0 Delete this total section and add the following:**

**Note:** Refer to Article 1 of the BOCA Basic Building Code/1978.

**Table P-1202.1, page 107 - Delete Note 11.**

**Article 15 Delete this total Article and add the following:**

**Note:** Refer to Article 17, BOCA Basic Building Code/1978, as amended.

**P-1601.0 Delete this total section and add the following:**

**Note:** Refer to Article 17, BOCA Basic Building Code/1978, as amended.

**Article 17 Delete this total Article and add the following:**

**Note:** Refer to Article 17, BOCA Basic Building Code/1978, as amended.



**Part F**

**BOCA Basic Mechanical Code/1978**

**Note:** Any reference to Mechanical Official shall be construed to mean Building Official.

**M-109.0 Delete total section and add the following:**

**Note:** Refer to Article 1, BOCA Basic Building Code/1978, as amended.

**M-110.0 Delete total section and add the following:**

**Note:** Refer to Article 1, BOCA Basic Building Code/1978, as amended.

**M-122.0 Delete total section and add the following:**

**Note:** Refer to Article 1, BOCA Basic Building Code/1978, as amended.

**M-301.1 Change last paragraph to read as follows:**

For special applications such as hospitals, laboratories, *supermarkets*, thermally sensitive equipment, computer rooms, and manufacturing processes, the design concepts and parameters shall conform to the requirements of the application at minimum energy levels.

**Article 11 Delete total Article and add the following:**

**Note:** Refer to the requirements of the State Air Pollution Control Board.



**Part G**  
**One and Two Family Dwelling Code/1975**

**Chapter 1.**

**Note #1:** Energy conservation Standards are as follows;

Building Envelope - Chapter 20, BOCA Basic Building Code/1978

Electrical - Section 1506.0, BOCA Basic Building Code/1978

Mechanical Equipment - Article 3, BOCA Basic Mechanical Code/1978

Plumbing - Section 1606, BOCA Basic Plumbing Code/1978

**Note #2:** One and Two Family Dwellings designed and constructed in accordance with Farmers Home Administration and/or HUD Energy Standards shall be deemed in compliance with the Uniform Statewide Building Code.

**Sections R-104 thru R-113: Delete in total**

Add following: Note - Refer to Article 1, BOCA Basic Building Code/1978

**Section R-206: Change to read as follows:**

Habitable rooms shall have an average ceiling height of not less than 7 feet 6 inches in at least 50 percent of their required area with no portion less than 5 feet in height.

Exception: Beams and girders spaced not less than 4 feet on center may project not more than 6 inches below the required *average* ceiling height.

(All other rooms, including hallways and corridors, shall have a ceiling height of not less than 7 feet measured to the lowest projection from the ceiling.)

**Section R-207: Change to read as follows:**

Every dwelling unit shall be provided with a water closet, lavatory, bathtub, or shower, kitchen area, and every kitchen area shall be provided with a sink.

**Request for Variance**

Variances to Section R-207 may be granted for reason of hardship, unsuitable soil condition or temporary recreational use by the local building official, upon agreement of the local Health Department, when such variance is in the sound discretion of the local building official, necessary for the reasons stated above.

**EXCEPTION:** Said variance may be granted and permit issued by the local building official when the following conditions are complied with:

- (1) A single parcel of land owned by applicant and building being constructed for own use.
- (2) Local Health Department approval of sanitation facilities.
- (3) Building and sanitation facilities to be located not less than 1000 feet from nearest residence.
- (4) Temporary recreational use structures and buildings shall mean any structure or building occupied intermittently for recreational purposes only.

Such structures or buildings shall be located in areas only as prescribed by local jurisdiction. Such structures or buildings shall not be located within an approved or recorded subdivision.

**Section R-209: Delete in total and add the following:**

Note: Glazing Standards are as follows:

Architectural Glazing Materials — Safety

Standard for .....CPSC 16 — CFR Part 1201; 42FR1428

**NOTE:** Pursuant to the Consumer Products Safety Act (Federal Public Law 92-573), the Consumer Product Safety Commission has established this Safety Standard for Architectural Glazing Materials (effective July 6, 1977). This standard prescribes which architectural features and field installed configurations of glazing must be provided with appropriate glazing due to human impact hazards and prescribes standards of composition and testing which define appropriate glazing for human impact hazards. The Consumer Product Safety Act preempts state and local government requirements unless identical to those of this standard. Certain safety glazing as listed below have been administratively exempted.

Safety Glazing Material Used in Buildings — Performance

Specifications and Methods of Test for .....ANSI Z97.1 — 72/75

**NOTE:** For products incorporating glazing material which are manufactured, fabricated, or assembled between July 6, 1977, and July 5, 1978, and where such glazing was manufactured before July 6, 1977.

**Section R-211: Delete in total and add the following:**

Not less than one exit conforming to this Chapter shall be provided from each dwelling unit.

Every sleeping room shall have at least one (1) operable window or exterior door approved for emergency egress or rescue. The units must be operable from the inside to a full clear opening without the use of separate tools. Where windows are provided as a means of egress or rescue they shall have a sill height of not more than forty-four (44) inches above the floor.

All egress or rescue windows from sleeping rooms must have a minimum net clear opening of three (3) square feet. The minimum net clear opening dimension shall be sixteen (16) inches.

**Section R-212: Delete in total and add the following:**

The required exit door shall be a side-hinged door not less than 3 feet in width and 6 feet 8 inches in height. The minimum width of a hallway or exit access shall be not less than 3 feet.

**Section R-213: Delete in total and add the following:**

A landing shall be provided on each side of an exit door. The floor or landing shall not be more than 1½ inches lower than the threshold of the doorway. Where doors open over landings, The landing shall have a length and width of 3 feet minimum. A door may open on the top of a flight of stairs provided the

door does not swing over the top step and the top step is not more than 7½ inches below the threshold level.

**Section R-215: Changes as follows:**

1st. paragraph - no change

2nd. paragraph - Porches, balconies or raised floor surfaces located more than 30 inches above the floor or grade below shall have guardrails not less than 36 inches in height.

3rd. paragraph - no change

**Section R-216: Delete in total and add the following:**

**Smoke detector:** Each sleeping area shall be provided with a minimum of one approved listed and labeled smoke detector installed adjacent to the sleeping area. The detector shall be installed in a manner and location consistent with its listing and sense visible and invisible particles of combustion. When actuated the detector shall provide an alarm suitable to warn occupants within the sleeping area.

**Section R-217: Add new section as follows:**

**Foam plastics:** 1. General. except where specifically exempted by subsection 2 below, foam plastics shall have a flame spread rating of not more than 75 and shall have a smoke developed rating of not more than 450 when tested in accordance with approved standards in the thickness intended for use. Specific requirements. The following requirements shall apply to all uses of foam plastics in or on the walls, ceiling or both, or in attics, roof or floors, crawl spaces or similar areas. Foam plastics may be used in the following locations: Within the cavity of a masonry or concrete wall. 2. 1.2 On the room side surface of conforming walls or ceiling or other surfaces referred to in the first sentence of Section R-217.2, provided the foam plastic is fully protected from the interior of the building by a thermal barrier of ½-inch gypsum wallboard having a finish rating of not less than 15 minutes or other approved material having an equivalent finish rating. Thermal barriers shall be installed in a manner such that they will remain in place for a minimum of 15 minutes under the same test conditions. Trim, picture molds, chair rails, baseboards, handrails and show window backing may be of wood. Foam plastic trim covering not more than 10 percent of the wall or ceiling area may be used provided such trim has a density of no less than 20 pounds per cubic foot, has a maximum thickness of ½-inch and a maximum width of 4 inches, and has a flame spread rating no greater than 75. Foam plastics may be used as a roof covering if the foam plastic is a part of a Class A, B or C roofing assembly. That plastic foam which is nearest the interior of the building shall be protected by an approved barrier which need not have a 15-minute finish rating. Ordinary roof coverings, other than Class A, B or C, may be applied over foam plastic when the foam is separated from the interior of the building by plywood sheathing not less than ½-inch in thickness with exterior glue, with edges supported by blocking, tongue and groove joints, or other approved type of edge support, or an equivalent material. Foam plastic having a flame-spread rating of 75 or less may be used as siding backer board with a maximum of 3/8-inch thickness when it is of not more than 2000 BTU per square foot and is separated from the interior of the building by not less than 2 inches of mineral insulation or equivalent.

separated from the interior of the building by not less than 2 inches of mineral insulation or equivalent.

**Section R-218: Add new section as follows:**

**Flame spread:** 1. General. Flame spread requirements for finishes shall not apply to trim defined as picture molds, chair rails, baseboards and handrails; to doors and windows or their frames; nor to materials which are less than 1/28 inch in thickness cemented to the surface of walls or ceilings, if these materials have flame spread characteristics no greater than paper of this thickness cemented to a noncombustible backing. Testing. Tests shall be made in accordance with the standards set forth in the model codes in order to arrive at flame spread or smoke density ratings. Flame spread. All rooms shall have a flame spread classification of not greater than 200. Exception: Flame spread requirements are not applicable to bathrooms. 4. Smoke density. The smoke density shall be no greater than 450.

**Section R-303: Make changes as follows:**

1st. paragraph - All exterior walls, bearing walls, columns and piers shall be supported on solid masonry or concrete footings, or other approved structural systems which shall be of sufficient design to support safely the loads imposed as determined from the character of the soil, and shall in all cases extend below the frost line. Minimum concrete or masonry bearing walls shall be as set forth in Figure No. A-3.

2nd. paragraph - no change

3rd. paragraph - no change

**Figure A-3: Change the figure as follows:**

The basement floor slab dimension in the first diagram, should be changed from 4 inches to 3½ inches.

**Section R-308: Revise the last paragraph to read as follows:**

Lumber and plywood required to be preservatively treated in accordance with this code as set forth in Section S-26.308 shall bear the quality mark of an approved inspection agency.

**Section R-402:**

1. Add a new sentence to the end of Item 1 to read as follows:

Approved end-jointed lumber may be used interchangeably with solid sawn members of the species and grade.

2. Item 2 - no change

3. Add the following paragraph to Item 3:

Interior nonbearing partitions may be capped with a single top plate installed to provide overlapping at corners and at intersections with other walls and partitions. The plate shall be continuously tied at joints by solid blocking at least 16 inches in length and equal in size to the plate or by 1/8 x 1½ inch metal ties with spliced sections fastened with two 16d nails on each side of the joint.

4. Item 4 - no change

5. Change Item 5 to read as follows;

**Headers.** The allowable spans for headers in bearing walls shall not exceed the values set forth in Table No. 4-B.

**Table 4-B:** Delete second sentence of Footnote 4. Add new footnote 6 to read as follows:

6. Spans and header sizes may be computed independently of the above table when designed in accordance with accepted engineering practice and substantiating data is provided and submitted as required.

**Section R-410.2.6:** Change to read as follows:

When the grouting is stopped for one hour or longer, horizontal construction joints shall be formed by stopping the pour of grout not less than ½-inch below the top of the uppermost unit grouted. Horizontal steel shall be fully imbedded by grout in an uninterrupted pour.

**Section R-602:** Add new sentence to Item 1 to read as follows:

Approved end-jointed lumber may be used interchangeably with solid sawn members of the same species and grade.

**Table No. 5-C:** Delete second sentence of Footnote #1. Add new Footnote #4 to read as follows:

4. Spans and header sizes may be computed independently of the above table when designed in accordance with accepted engineering practice and substantiating data is provided and submitted as required.

**Table No. 6-E:** Change to read as follows:

**Table No. 6-E**  
 ALLOWABLE SPANS FOR PLYWOOD FLOOR AND  
 ROOF SHEATHING CONTINUOUS OVER TWO OR MORE SPANS  
 AND FACE GRAIN PERPENDICULAR TO SUPPORTS

Panel Identification Index <sup>3</sup>	Panel Thickness (Inches)	ROOF <sup>2</sup>				Floor Maximum Span <sup>4</sup> (in inches)
		Maximum Span (In inches)		Load Capacity (In Pounds Per Square Foot)		
		Edges <sup>6</sup> blocked	Edges Unblocked	Total Load	Live Load	
12/0	5/16	12		155	150	0
16/0	5/16, 3/8	16		95	75	0
20/0	5/16, 3/8	20		75	65	0
24/0	3/8, 1/2	24	24	65	50	0
30/12	5/8	30	26	70	50	125
32/16	1/2, 5/8	32	28	55	40	167
36/16	3/4	36	30	55	50	167
42/20	5/8, 3/4, 7/8	42	32	40 <sup>8</sup>	35 <sup>8</sup>	207
48/24	3/4, 7/8	48	36	40 <sup>8</sup>	35 <sup>8</sup>	24

1. These values apply for Structural I and II, Standard Sheathing and C-C Exterior grades only. Spans shall be limited to values shown because of possible effect of concentrated loads.
2. Uniform load deflection limitation: 1/180 of the span under live load plus dead load, 1/240 under live load only.
3. Identification Index appears on all panels in the construction grades listed in Footnote No. 1. The numerator and denominator represent the allowable spans for roofs/floors respectively for blocked panels.
4. Plywood edges shall have approved tongue and groove joints or shall be supported with blocking, unless 1/4-inch minimum thickness underlayment is installed or finish floor is 25/32-inch wood strip. Allowable uniform load based on deflection of 1/360 of span is 165 pounds per square foot.
5. May be 16-inch if 25/32-inch wood strip flooring is installed at right angles to joists.
6. For roof live load of 40 pounds per square foot or total load of 55 pounds per square foot, decreased spans by 13 per cent or use panel with next greater identification index.
7. May be 24-inch if 25/32-inch wood strip flooring is installed at right angles to joists.
8. Edges may be blocked with lumber or other approved type of edge support.

**Figure A-6:** Delete the following: "Solid blocking over girder."

**Section R-702:** Add a new sentence to end of Item 1 to read as follows:  
 Approved end-jointed lumber may be used interchangeably with solid sawn members of the same species and grade.

**Section R-706:** Change to read as follows:

A readily accessible attic access opening not less than 22 inches by 30 inches shall be provided to any attic area having a clear height of over 30 inches.

**Section R-803:** Add a new paragraph to read as follows:

Composition asphalt organic felt shingles: Asphalt shingles laid with double coverage may be installed on slopes as low as 2 inches to 12 inches, provided the shingles are approved self-sealing or are hand sealed and are installed with an underlayment consisting of two layers of Type 15 felt, applied shingle fashion. In areas where the January daily average temperature is 25 degrees F. or less, or where there is a possibility of ice forming along the eaves and causing a back up of water, the two layers of felt should be cemented together from the eaves up the roof to overlie a point 24 inches inside the interior wall line of the building.

**Chapters 9 thru 25:** Delete in total

Refer to appropriate BOCA Mechanical Code, BOCA  
 Plumbing Code or National Electrical Code

**Chapter 26:** Change as follows:

**Section S-26.001**

Revise address to read:

AWPB - American Wood Preservers Bureau  
P.O. Box 6085, Arlington, Virginia 22206

**Section S-26.401**

Revise the following standards to read:

National Design Specification for Wood Construction. National Forest Products Association (1977 with November 1977 Supplement).

Redwood. Standard Specifications for Grades of California Redwood Lumber of the Redwood Inspection Service (Second Printing — 1975 including Supplements Nos. 1 and 2).

TPI-74. Design Specifications for Light Metal Plate Connected Wood Trusses (1974).

Western Lumber. Standard Grading Rules, Western Wood Products Association (July 1, 1974).

Wood Poles. Specifications and Dimensions for Wood Poles. ANSI 05.1-1972.

Canadian Lumber. Standard Grading Rules for Canadian Lumber, U.S. edition (July 1, 1973). Approved by the American Lumber Standards Board of Review.

**Section S-26.601**

Revise the following standard to read:

Canadian Dimension Lumber, Revised Edition 1972, Canadian Wood Council.

**Section S-26.701**

Revise the following standard to read:

Canadian dimension Lumber, Revised Edition 1972, Canadian Wood Council.

Appendix: Substitute new Snow Load map as follows:



**Part H**

**Inconsistent Local Building Codes and Regulations Repealed**

All building codes and regulations of the counties, municipalities and State agencies in conflict herewith are repealed as called for in Article 1, Chapter 6, Title 36 (§ 36-98 et. seq.) of the Code of Virginia 1950, as amended.

**Part I**

**SAVINGS CLAUSE**

Nothing in these regulations hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquitted, or liability incurred, or any cause or causes of action acquired or existing, under any act or local regulations repealed as cited in Part H of these regulations; nor shall any just or legal right or remedy of any character be lost, impaired or affected by these regulations.

**PART J**

**Date of Acceptance**

The Board of Housing and Community Development shall certify to the adoption of these regulations and cause the same to be published as required by the statutes of Virginia, and these regulations are effective August 1, 1978.

**Part K**  
**Membership**

**Director of the Department of Housing and Community Development**  
**The Honorable O. Gene Dishner**

**Board of Housing and Community Development**

<b>Mr. John Dillard Powell, Chairman</b> Ridgeway, Virginia	<b>Mr. William T. Clements</b> Norton, Virginia
<b>Mr. Beverly R. Middleton, Vice Chairman</b> Virginia Beach, Virginia	<b>Mr. J. B. Hall, Jr.</b> Richmond, Virginia
<b>Mr. Thomas M. Batchelor, Jr.</b> Charlottesville, Virginia	<b>Mr. Emil M. Keen</b> Alexandria, Virginia
<b>Mr. T. W. Bloomfield</b> Richmond, Virginia	<b>Mr. Othel N. Sparks</b> Richmond, Virginia
<b>Mr. Joseph D. Stoutamire, Jr.</b> Salem, Virginia	

**State Building Code Technical Review Board**

<b>Mr. Walter R. Nexsen, Chairman</b> Norfolk, Virginia	<b>Mr. Sidney W. Galloway</b> Richmond, Virginia
<b>Mr. Bernard E. Cooper, Vice Chairman</b> Richmond, Virginia	<b>Mr. Harry E. Diezel</b> Virginia Beach, Virginia
<b>Mr. Herman F. Blake, Jr.</b> Richmond, Virginia	<b>Mr. Philip O. Shepherd, Jr.</b> Arlington, Virginia
<b>Mr. Oliver P. Strawn, Jr.</b> Blacksburg, Virginia	

**Building Code Section**

**Jack A. Proctor, Administrator**

**Supervisors**

**John C. Drinkard**  
**H. Leon Mann**  
**Milton R. Nash, Jr.**

**§ 36-98. Board to promulgate Statewide Code; other codes and regulations superseded; exceptions; coordination of regulations of Board and other agencies.** — The Board is hereby directed and empowered to adopt and promulgate a Uniform Statewide Building Code. Such building code shall supersede the building codes and regulations of the counties, municipalities and State agencies, but this shall not prevent other State agencies from adopting, administering and enforcing regulations promulgated pursuant to other State law which explicitly confers such authority, provided such regulations do not conflict with the construction and maintenance requirements of the Uniform Statewide Building Code. The Board and other State agencies shall coordinate their various regulations in such a manner as to eliminate conflicts with the Uniform Statewide Building Code; provided, however, that nothing herein shall prohibit the State Board of Health or the State Water Control Board from promulgating regulations relating to the sanitary conditions of domestic water and sewerage services pursuant to the provisions of Title 32.1 and chapter 3.1 of Title 62.1 (§ 62.1-44.2 et seq.) of the Code. (1972, c. 829; 1977, c. 613; 1979, c. 718.)

**§ 36-99.1. Certification of electrical, plumbing and building related mechanical workers.** — No electrical worker or plumbing worker or building related mechanical worker shall be required to be examined or certified by the Board or by the locality at the direction of the Board if such person was certified or licensed for two years prior to January one, nineteen hundred eighty, in accordance with provisions made by the Commonwealth. (1974, c. 437; 1977, c. 613; 1978, cc. 268, 751; 1979, c. 352.)

**§ 36-105. Enforcement of Code; appeals from decisions of local department.** — Enforcement of the Building Code shall be the responsibility of the local building department. There shall be established within each local building department a local board of Building Code appeals whose composition, duties and responsibilities shall be prescribed in the Building Code. Appeals from the local building department concerning application of the Building Code or refusal to grant a modification to the provisions of the Code covering the manner of construction or materials to be used in the erection, alteration or repair of a building or structure shall first lie to the local board of Building Code appeals. No appeal to the State Building Code Technical Review Board shall lie prior to a final determination by the local board of Building Code appeals. Whenever a county or a municipality does not have such a building department or board of Building Code appeals, 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 the Department for such enforcement and appeals resulting therefrom. Fees may be levied by the local governing body in order to defray the cost of such enforcement and appeals.

Any building may be inspected at any time before completion, and shall not be deemed in compliance until approved by the inspecting authority but where the construction cost is less than one thousand dollars the building inspection may, in the discretion of the inspecting authority, be waived. The building official shall coordinate all reports with inspections for compliance of the Building Code, from fire and health officials delegated such authority, prior to issuance of an occupancy permit. (1972, c. 829; 1974, c. 433; 1977, cc. 423, 613; 1978, c. 578.)

**§ 36-98. Board to promulgate Statewide Code; other codes and regulations superseded; exceptions.** — The Board is hereby directed and empowered to adopt and promulgate a Uniform Statewide Building Code. Such building code shall supersede the building codes and regulations of the counties, municipalities and other political subdivisions and State agencies. However, such Code shall not supersede the regulations of other State agencies which require and govern the functional design and operation of building related activities not covered by the Uniform Statewide Building Code including but not limited to: (1) public water supply systems, (2) waste water treatment and disposal systems, and (3) solid waste facilities. Nor shall State agencies be prevented from requiring, pursuant to other State law, that buildings and equipment be maintained in accordance with provisions of the Uniform Statewide Building Code under which constructed. (1972, c. 829; 1977, c. 613; 1979, c. 718; 1980, c. 104.)

**§ 36-157. Powers and duties of Board.** — The Board shall exercise the following powers and duties, and such others as may be provided by law:

- A. Provide a means of citizen access to the Department.
- B. Provide a means of publicizing the policies and programs of the Department in order to educate the public and elicit public support for Department activities.
- C. Monitor the policies and activities of the Department and have the right of access to departmental information.
- D. Advise the Governor, the Secretary of Commerce and Resources and the Director on matters relating to housing and community development.
- E. From time to time make such rules and regulations as may be necessary to carry out its responsibilities and from time to time thereafter to repeal or amend such rules.
- F. [Repealed.] (1977, c. 613; 1978, c. 751; 1980, c. 107.)

**§ 19.2-8. Limitation of prosecutions.** — A prosecution for a misdemeanor, or any pecuniary fine, forfeiture, penalty or amercement, shall be commenced within one year next after there was cause therefor, except that a prosecution for petit larceny may be commenced within five years, and for an attempt to produce abortion, within two years after commission of the offense; and a prosecution for obtaining, attempting to obtain, aiding or abetting in obtaining public assistance under the Virginia Public Welfare and Assistance Law by means of a willful false statement, representation, impersonation or other fraudulent device shall be commenced within five years next after the commission of the offense; and in a prosecution for violation of laws governing the placement of children for adoption without a license pursuant to § 63.1-196 of the Code, no action shall be commenced after the expiration of one year from the date of the filing of the petition for adoption; and a prosecution for making a false statement or representation of a material fact knowing it to be false or knowingly failing to disclose a material fact, to obtain or increase any benefit or other payment under the Virginia Unemployment Compensation Act shall be commenced within three years next after the commission of the offense; and a prosecution for any violation of §§ 10-17.29, 62.1-44.32 (b), 62.1-194.1, or 62.1-195 which involves the discharge, dumping or emission of any toxic substance as defined in § 32.1-239 shall be commenced within three years next after the commission of the offense. Prosecution of Building Code violations under § 36-105 shall commence within one year of either commission of the offense or discovery of the offense by the owner or by the building official; provided that such discovery occurs within one year of the date of initial occupancy or use after construction of the building or structure, or the issuance of a certificate of use and occupancy for the building or structure, whichever

is later, but in either event not more than two years from the date of the commission of the offense. Prosecution of nonfelonious offenses which constitute malfeasance in office shall commence within two years next after the commission of the offense. Nothing in this section shall be construed to apply to any person fleeing from justice or concealing himself within or without this State to avoid arrest or be construed to limit the time within which any prosecution may be commenced for desertion of a spouse or child or for neglect or refusal or failure to provide for the support and maintenance of a spouse or child. (Code 1960, § 19.1-8; 1960, c. 366; 1974, c. 466; 1975, c. 495; 1976, cc. 114, 620; 1977, c. 108; 1978, c. 730; 1979, c. 243; 1980, c. 496.)

**§ 27-34.4. Inspection and review of plans of buildings under construction.** — Inspection of buildings other than state-owned buildings under construction and the review and approval of building plans for these structures shall for enforcement of the Uniform Statewide Building Code be the sole responsibility of the appropriate local building inspectors. Upon completion of such structures, responsibility for fire safety protection shall pass to the local fire marshal and his assistants pursuant to § 27-5.1 of the Code of Virginia. (1980, c. 498.)

**§ 27-79.9. Inspection and review of plans of buildings under construction.** — Inspections of buildings other than state-owned buildings under construction and the review and approval of building plans for these structures for enforcement of the Uniform Statewide Building Code shall be the sole responsibility of the appropriate local building inspectors. Upon completion of such structures, responsibility for fire safety protection shall pass to the Chief Fire Marshal and his deputies pursuant to the Virginia Fire Safety Law. (1980, c. 498.)

**§ 48.1-51.15:1. Only one inspection necessary.** — An annual inspection under the provisions of this chapter shall constitute compliance with and shall be in lieu of any boiler or pressure vessel inspection required by chapter 6 (§ 38-97 et seq.) of Title 38 of the Code of Virginia. (1980, c. 464.)

**Changes Adopted by the Board  
of Housing and Community Development  
to the 1978 Accumulative Supplement  
to the Uniform Statewide Building Code,**

**Part D, Basic Building Code/1978**

The entire text of the Code Sections as amended by the Board is printed below. They become effective January 1, 1981.

Section 112.1 Change to read as follows:

When permit is required: It shall be unlawful to construct, enlarge, alter or demolish a structure; or change the occupancy of a building or structure requiring greater strength, exitway or sanitary provisions; or to change to another use; or to install or alter any equipment for which provision is made or installation or which is regulated by this code, without first filing an application with the building official in writing and obtaining the required permit therefor; except that ordinary repairs, as defined in Section 102.0, which do not involve any violation of this code shall be exempt from this provision. The building official may, at his discretion, authorize work to be commenced pending receipt of the written application and issuance of the required permit.

Section 112.2 Change to read as follows:

Form of application: The application for a permit shall be submitted on such form as the building official may prescribe.

Table 305 Change the note added by the 1978 amendment to read as follows:

Note 1. Number of stories above grade plane are determined as follows: The floor to floor distance of the lowermost level is divided into equal thirds. If the ratio of exposed area of the lowest level exterior wall to the total area of the lower level exterior is less than  $1/3$ , the level is counted as zero stories. If the ratio is greater than  $1/3$  and less than  $2/3$ , the level is counted as one half story; if the ratio is greater than  $2/3$  then the level is counted as one (1) story. This note shall not apply to one and two family dwellings or to multiple single family dwellings erected side-by-side.

Section 1502.4 Reinspection: Change to read as follows:

The building official may require reinspection of an electrical installation from which electrical service has been discontinued for a period of thirty (30) days or more before service may be restored.

APPENDIX B  
ACCEPTED ENGINEERING PRACTICE STANDARDS  
Unclassified Miscellaneous  
Add the following:

An Illustrated Handbook of the Handicapped  
Section of the North Carolina State  
Building Code - 77.....State of North Carolina  
Making Buildings and Facilities Accessible to and  
Usable by Physically Handicapped People -  
Specifications for.....ANSI A117.1-80

**§ 15.1-11.4. Ordinances certifying certain plumbers, building-related mechanical workers and electricians.** — A. The governing body of a county, city or town may, subject to the limitations of paragraph D, herein, by duly adopted ordinance, require any person, who engages in, or offers to engage in, for the general public for compensation, plumbing, building-related mechanical or electrical work in such county, city or town, to obtain a certificate from such county, city or town.

B. Such ordinance shall require the applicant for such certificate to furnish evidence of his ability and proficiency; shall require the examination of every such applicant to determine his qualifications; shall designate or establish an agent or board for the county, city or town to examine and determine a person's qualifications for certification; and shall refuse to grant a certificate to an applicant found not to be qualified.

C. In accordance with the Administrative Process Act (chapter 1.1:1 (§ 9-6.14:1 et seq.) of Title 9 of the Code of Virginia), the Director of the State Department of Housing and Community Development shall establish standards to be used in determining an applicant's ability, proficiency and qualifications.

D. No person certified pursuant to this section or certified or licensed pursuant to § 36-99.1 shall be required to obtain such a certificate or pay a fee in any other county, city or town in which he practices his trade. After a person has been certified under an apprenticeship program which is approved by the Virginia Apprenticeship Council, he shall not be required by the governing body of any county, city, or town to obtain a certificate from or to pay a fee to such county, city, or town.

E. Any such ordinance adopted by a county, city or town may provide for penalties not exceeding those applicable to Class 3 misdemeanors. (1978, c. 268; 1979, c. 352; 1981, c. 331.)

**§ 40.1-117. Apprenticeship Council; membership and terms of office; meetings and duties.** — The Governor shall appoint an Apprenticeship Council, composed of three representatives each from employer and employee organizations respectively, and all of whom shall be familiar with apprenticeable occupations. The Commissioner of Labor and Industry and the State Director of Vocational Education, or their designated representative, shall be members, ex officio, of the Council. At the beginning of each year the Governor shall designate one member to serve as chairman. The original appointments having been for terms of one, two and three years and all successors having been appointed for three years, each member hereafter shall be appointed for a term of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term of his predecessor shall be appointed for the remainder of such term. All members, including ex officio members, shall have voting privileges.

The Apprenticeship Council shall meet at the call of the chairman of the Council and shall formulate policies for the effective administration of this chapter.

The Apprenticeship Council shall establish standards for apprentice agreements which shall not be lower than those prescribed by this chapter and those established pursuant to subsection C of § 15.1-11.4, and shall perform such other functions as may be necessary to carry out the intent and purposes of this chapter. Not less than once a year the Council shall make a report of its activities and findings to the General Assembly and to the public. (Code 1950 (Repl. Vol. 1953), § 40-123; 1968, c. 273; 1970, c. 321; 1978, c. 206; 1980, c. 728; 1981, c. 331.)

**§ 15.1-29.9. Smoke detectors in certain buildings.** — The governing body of any county, city, or town, notwithstanding any contrary provision of law, general or special, may require by ordinance that smoke detectors be installed in the following structures or buildings constructed prior to the adoption of the Uniform Statewide Building Code: (i) any multifamily building containing four or more dwelling units, (ii) any hotel or motel regularly used, offered for, or intended to be used to provide overnight sleeping accommodations for one or more persons, and (iii) rooming houses regularly used, offered for, or intended to be used to provide overnight sleeping accommodations and which contain more than four units. Smoke detectors installed pursuant to this section shall be installed in conformance with the provisions of the Uniform Statewide Building Code. The ordinance shall allow the type of smoke detector to be either battery operated or AC powered units. With respect to multifamily buildings containing four or more dwelling units, such ordinance shall require that the owner of each unit which is rented or leased, at the beginning of each tenancy and at least annually thereafter, shall furnish the tenant with a certificate that all required smoke detectors are present, have been inspected, and are in good working order. Except for smoke detectors located in hallways, stairwells, and other public or common areas, interim testing, repair, and maintenance of such smoke detectors shall be the responsibility of the tenant; provided, however, that the owner shall be obligated to service, repair, or replace any malfunctioning smoke detectors within five days of receipt of written notice that such smoke detector is in need of service, repair, or replacement. (1981, c. 324.)

**§ 36-98.1. State buildings.** — The Building Code shall be applicable to all State-owned buildings and structures.

Any State-owned building or structure for which working drawings were prepared or on which construction commenced prior to July one, nineteen hundred eighty-one, shall remain subject to the building regulations in effect at the time of such construction or design. Subsequent reconstruction, renovation, repair, or demolition of such building or structure shall be subject to the pertinent provisions of the Building Code.

Notwithstanding the provisions of § 36-105 the review of plans, inspections of construction, and enforcement of the Building Code shall be provided by the Department of General Services, the State Fire Marshal's Office, other State agencies having such responsibility, or other State agencies at the request of the Department of General Services. State agencies and institutions, when requested to do so, shall allow local building inspectors to inspect the construction of State buildings, provided such inspection shall be of an advisory nature only. The Department of General Services shall function as the Building Official for State-owned buildings in regard to approval of plans and specifications, granting of modifications and inspections based on policies issued by the Department. (1981, c. 325.)

**§ 36-99. Provisions of Code.** — The Building Code shall prescribe standards to be complied with in the construction of buildings and structures, and the equipment therein as defined in § 36-97, and shall prescribe regulations to insure that such standards are properly maintained, and shall also prescribe procedures for the administration and enforcement of such standards. The provisions thereof shall be such as to protect the health, safety and welfare of the residents of this State, provided that buildings and structures should be permitted to be constructed at the least possible cost consistent with recognized standards of health, safety, energy conservation and water conservation and barrier-free provisions for the physically handicapped and aged. Such standards shall be reasonable and appropriate to the objectives of this chapter.

In formulating the Code provisions, the Board shall have due regard for generally accepted standards as recommended by nationally recognized organizations, including, but not limited to, the standards of the Southern Building Code Congress, the Building Officials Conference of America and the National Fire Protection Association.

Where practical, the Code provisions shall be stated in terms of required level of performance, so as to facilitate the prompt acceptance of new building materials and methods. When generally recognized standards of performance are not available, such provisions shall provide for acceptance of materials and methods whose performance has been found by the Board, on the basis of reliable test and evaluation data, presented by the proponent, to be substantially equal in safety to those specified. (1972, c. 829; 1974, c. 433; 1975, c. 394; 1977, cc. 423, 613; 1978, c. 581; 1981, c. 2.)

**§ 36-105. Enforcement of Code; appeals from decisions of local department; inspection of buildings.** — Enforcement of the Building Code shall be the responsibility of the local building department. There shall be established within each local building department a local board of Building Code appeals whose composition, duties and responsibilities shall be prescribed in the Building Code. Appeals from the local building department concerning application of the Building Code or refusal to grant a modification to the provisions of the Code covering the manner of construction or materials to be used in the erection, alteration or repair of a building or structure shall first lie to the local board of Building Code appeals. No appeal to the State Building Code Technical Review Board shall lie prior to a final determination by the local board of Building Code appeals. Whenever a county or a municipality does not have such a building department or board of Building Code appeals, 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 the Department for such enforcement and appeals resulting therefrom. Fees may be levied by the local governing body in order to defray the cost of such enforcement and appeals.

Any building may be inspected at any time before completion, and shall not be deemed in compliance until approved by the inspecting authority but where the construction cost is less than one thousand dollars the building inspection may, in the discretion of the inspecting authority, be waived. A local governing body may provide that buildings and structures, permanent or temporary, which are used to store hazardous materials, or occupied or to be used by twenty or more persons who are employed, lodged, housed, assembled, served, entertained or instructed therein, or the common areas of residential structures containing four or more units; including buildings owned by the State or by any of its political subdivisions and the equipment therein be inspected periodically after completion to insure that the Building Code standards at the time of construction are properly maintained. The building official shall coordinate all reports with inspections for compliance of the Building Code, from fire and health officials delegated such authority, prior to issuance of an occupancy permit. (1972, c. 829; 1974, c. 433; 1977, cc. 423, 613; 1978, c. 578; 1981, c. 498.)

**§ 36-135. Board of Housing and Community Development created; members; terms; chairman.** — There is hereby created within the Department of Housing and Community Development the Board of Housing and Community Development. The Board shall consist of nine members appointed by the Governor, subject to confirmation by the General Assembly. Members shall serve for four-year terms and no member shall serve for more than two full successive terms. Initial appointments to the Board shall be made as follows: Two shall be for terms of one year, two shall be for terms of two years, two shall be for terms of three years, and three shall be for terms of four years each, and thereafter all appointments shall be for terms of four years each. A chairman of the Board shall be elected annually by the Board. (1977, c. 613.)

**§ 36-136. Meetings of Board.** — The Board shall meet at least once every three months, and on the call of the chairman, when, in his opinion, additional meetings are necessary. (1977, c. 613.)

**§ 36-137. Powers and duties of Board.** — The Board shall exercise the following powers and duties, and such others as may be provided by law:

A. Provide a means of citizen access to the Department.

B. Provide a means of publicizing the policies and programs of the Department in order to educate the public and elicit public support for Department activities.

C. Monitor the policies and activities of the Department and have the right of access to departmental information.

D. Advise the Governor, the Secretary of Commerce and Resources and the Director on matters relating to housing and community development.

E. From time to time make such rules and regulations as may be necessary to carry out its responsibilities and from time to time thereafter to repeal or amend such rules.

F. [Repealed.]

G. Issue a certificate of competence concerning the content, application, and intent of specified subject areas of the Uniform Statewide Building Code to present or prospective personnel of local governments who have completed training programs or in other ways demonstrated adequate knowledge. (1977, c. 613; 1978, c. 751; 1980, c. 107; 1981, c. 309.)

**§ 36-139. (Effective July 1, 1982) Powers and duties of Director.** — The Director of the Department of Housing and Community Development shall have the following responsibilities:

**A.** Collecting from the governmental subdivisions of the Commonwealth information relevant to their planning and development activities, boundary changes, changes of forms and status of government, intergovernmental agreements and arrangements, and such other information as it may deem necessary.

**B.** Making information available to communities, planning district commissions, service districts and governmental subdivisions of the Commonwealth.

**C.** Providing professional and technical assistance to, and cooperating with, any planning agency, planning district commission, service district, and governmental subdivision engaged in the preparation of development plans and programs, service district plans, or consolidation agreements.

**D.** Assisting the Governor in the providing of such State financial aid as may be appropriated by the General Assembly in accordance with § 15.1-1412 of the Code of Virginia.

**E.** Administering federal grant assistance programs, including funds from the Appalachian Regional Commission, the Economic Development Administration and other such federal agencies, directed at promoting the development of the Commonwealth's communities and regions.

**F.** Developing State housing and community development policies, goals, plans and programs for the consideration and adoption of the Board with the ultimate authority for adoption to rest with the Governor and the General Assembly.

**G.** Determining present and future housing requirements of the State and designing programs to coordinate the elements of housing production which programs shall be designed to assure the availability of housing where and when needed.

**H.** Assuming administrative coordination of the various State housing programs and cooperating with the various State agencies in their programs as they relate to housing.

**I.** Establishing public information and educational programs relating to housing; devising and administering programs to inform all citizens about housing and housing-related programs that are available on all levels of government; designing and administering educational programs to prepare families for home ownership and counseling them during their first years as homeowners; and promoting educational programs to assist sponsors in the development of low and moderate income housing as well as programs to lessen the problems of rental housing management.

**J.** Administering the provisions of the Urban Assistance Incentive Fund as set forth in §§ 15.1-1500 through 15.1-1505 of the Code of Virginia.

**K.** Administering the provisions of the Industrial Building Unit and Mobile Home Safety Law.

**L.** Administering the provisions of the Uniform Statewide Building Code.

**M.** Administering the provisions of the Virginia Fire Safety Law.

**N.** To administer design standards promulgated by the Board pursuant to § 36-137 F.

**O.** To establish and operate a voluntary training program for the instruction of the personnel of local building departments concerning the content, application and intent of the Uniform Statewide Building Code.

**P.** Carrying out such other duties as may be necessary and convenient to the exercise of powers granted to the Department.

**Q.** To administer, in conjunction with the federal government and promulgate any necessary rules and regulations regarding energy standards for existing buildings as may be required pursuant to federal law.

**R.** Identifying and disseminating information to local governments about the availability and utilization of federal and State resources. (1977, c. 613; 1978, cc. 737, 751; 1981, cc. 309, 315.)

**§ 36-139. (Effective until July 1, 1982) Powers and duties of Director.**

The Director shall have the following responsibilities:

A. Collecting from the governmental subdivisions of the Commonwealth information relevant to their planning and development activities, boundary changes, changes of forms and status of government, intergovernmental agreements and arrangements, and such other information as it may deem necessary.

B. Making information available to communities, planning district commissions, service districts and governmental subdivisions of the Commonwealth.

C. Providing professional and technical assistance to, and cooperating with, any planning agency, planning district commission, service district, and governmental subdivision engaged in the preparation of development plans and programs, service district plans, or consolidation agreements.

D. Assisting the Governor in the providing of such State financial aid as may be appropriated by the General Assembly in accordance with § 15.1-1412 of the Code of Virginia.

E. Administering federal grant assistance programs, including funds from the Appalachian Regional Commission, the Economic Development Administration and other such federal agencies, directed at promoting the development of the Commonwealth's communities and regions.

F. Developing State housing and community development policies, goals, plans and programs for the consideration and adoption of the Board with the ultimate authority for adoption to rest with the Governor and the General Assembly.

G. Determining present and future housing requirements of the State and designing programs to coordinate the elements of housing production which programs shall be designed to assure the availability of housing where and when needed.

H. Assuming administrative coordination of the various State housing programs and cooperating with the various State agencies in their programs as they relate to housing.

I. Establishing public information and educational programs relating to housing; devising and administering programs to inform all citizens about housing and housing-related programs that are available on all levels of government; designing and administering educational programs to prepare families for home ownership and counseling them during their first years as homeowners; and promoting educational programs to assist sponsors in the development of low and moderate income housing as well as programs to lessen the problems of rental housing management.

J. Administering the provisions of the Urban Assistance Incentive Fund as set forth in §§ 15.1-1500 through 15.1-1505 of the Code of Virginia.

K. Administering the provisions of the Industrial Building Unit and Mobile Home Safety Law.

L. Administering the provisions of the Uniform Statewide Building Code.

M. Administering the provisions of the Virginia Fire Safety Law.

N. To administer design standards promulgated by the Board pursuant to § 36-137 F.

O. To establish and operate a voluntary training program for the instruction of the personnel of local building departments concerning the content, application and intent of the Uniform Statewide Building Code.

P. Carrying out such other duties as may be necessary and convenient to the exercise of powers granted to the Department.

Q. To administer, in conjunction with the federal government and promulgate any necessary rules and regulations regarding energy standards for existing buildings as may be required pursuant to federal law. (1977, c. 613; 1978, cc. 737, 751; 1981, c. 309.)

