

1987

EDITION - THIRD AMENDMENT

**VIRGINIA
UNIFORM STATEWIDE
BUILDING CODE**



**VOLUME I
NEW CONSTRUCTION CODE**

**COMMONWEALTH OF VIRGINIA
BOARD OF HOUSING AND COMMUNITY DEVELOPMENT**

VIRGINIA
UNIFORM STATEWIDE BUILDING CODE
VOLUME I
NEW CONSTRUCTION CODE
1987 EDITION

VR 394-01-21

Adopted by the State

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

THIRD AMENDMENT
Effective October 1, 1990

Issued by the
Division of Building Regulation
Department of Housing and Community Development
205 North Fourth Street
Richmond, Virginia 23219

SUMMARY

Volume I - New Construction Code of the 1987 Edition of the Virginia Uniform Statewide Building Code (USBC) is a mandatory, statewide uniform regulation which must be complied with in all buildings or additions hereafter constructed, altered, enlarged, repaired, or converted to another use group. Its purpose is to protect the health, safety and welfare of building users, and to provide for energy conservation, water conservation, and accessibility for the physically handicapped and aged. Technical requirements of the New Construction Code are based on the BOCA National Building Code. The New Construction Code specifies the enforcement procedures to be used by local governments. Enforcement by local governments is mandatory. Provisions is made for modifications by the building official when alternate means will provide equivalent health and safety. An administrative appeals system is established for resolution of disagreements between the building owner and the building official.

ARRANGEMENT OF 1987 EDITION

Requirements of the USBC are divided into two volumes:

- Volume I - New Construction Code
- Volume II - Building Maintenance Code

Volume II governs the maintenance and use of buildings. Local governments are required by law to enforce Volume I. Local enforcement of Volume II is optional.

USE OF NATIONALLY RECOGNIZED MODEL CODES AND STANDARDS

The Board bases the technical requirements of the USBC on nationally accepted model codes and standards. It makes as few amendments as possible. The purpose is to benefit the citizens of Virginia by promoting efficiency in the building industry, many aspects of which are interstate in nature. For this reason, the Board encourages anyone who believes that a technical amendment is needed to submit his proposal directly to the organization which publishes the affected model code or standard. Amendments made by such organizations will then be considered for inclusion in future editions of the USBC.

Information on how to present proposals to the model code and standards organizations is available from:

Code Development Office
Department of Housing and Community Development
205 North Fourth Street
Richmond, Virginia 23219
Telephone (804) 371-7772

FUTURE EDITIONS

State law requires the Board of Housing and Community Development to keep the USBC up-to-date. The Board plans to do this by updating the USBC every three years when new editions of the model codes become publicly available. Suggestions for improvements are invited at any time. They should be addressed to the Board of Housing and Community Development in care of the Code Development Office.

INTERPRETATIONS

In case of doubt as to the meaning of any specific provision of the New Construction Code, a request for an interpretation may be made to the State Building Code Technical Review Board. Request forms are available from the Code Development Office.

USER ASSISTANCE

Enforcement of the Virginia USBC is the responsibility of local government. The local building department should be consulted for information and assistance. Further information may also be available from:

Code Enforcement Office
Department of Housing and Community Development
205 North Fourth Street
Richmond, Virginia 23219
Telephone (804) 786-5041

Code Development Office
Department of Housing and Community Development
205 North Fourth Street
Richmond, Virginia 23219
Telephone (804) 371-7772

Office of Professional Services
Department of Housing and Community Development
205 North Fourth Street
Richmond, Virginia 23219
Telephone (804) 786-4846

NOTE TO UNIFORM STATEWIDE BUILDING CODE USERS

This edition of the USBC, Volume I contains, for the benefit and convenience of code users, a single line in the outside margin of some pages.

The line indicates text which differs from the previous amendment. For more information on previous editions and amendments, see Addendum 5.

TABLE OF CONTENTS

Article 1 ADOPTION, ADMINISTRATION AND ENFORCEMENT

Section

100.0	General	1
101.0	Reference Standards and Amendments	3
102.0	Local Building Department	5
103.0	Duties and Powers of the Building Official	8
104.0	Fees	9
105.0	Application for Construction Permit	11
106.0	Professional Engineering and Architectural Services	16
107.0	Approval of Materials and Equipment	16
108.0	Interagency Coordination - Functional Design	17
109.0	Construction Permits	17
110.0	Inspections	19
111.0	Workmanship	21
112.0	Violations	21
113.0	Stop Work Order	22
114.0	Posting Buildings	22
115.0	Certificate of Use and Occupancy	23
116.0	Local Board of Building Code Appeals	24
117.0	Appeal to the State Building Code Technical Review Board	27
118.0	Existing Buildings and Structures	28
119.0	Moved Buildings	29
120.0	Unsafe Buildings	29
121.0	Demolition of Buildings	31

ARTICLE 1

ADOPTION, ADMINISTRATION AND ENFORCEMENT

SECTION 100.0 GENERAL

100.1 Title: These regulations shall be known as Volume I - New Construction Code of the 1987 edition of the Virginia Uniform Statewide Building Code. Except as otherwise indicated, USBC, and New Construction Code, as used herein, shall mean the 1987 Volume I - New Construction Code of the 1987 edition of the Virginia Uniform Statewide Building Code. (Note: See Volume II - Building Maintenance Code for maintenance regulations applying to existing buildings.)

100.2 Authority: The USBC is adopted under authority granted the Board of Housing and Community Development by the Uniform Statewide Building Code Law, Chapter 6, Title 36, Code of Virginia.

100.3 Adoption: The USBC was adopted by order of the Board of Housing and Community Development on December 14, 1987. This order was prepared according to requirements of the Administrative Process Act. The order is maintained as part of the records of the Department of Housing and Community Development, and is available for public inspection.

100.4 Effective date: The 1987 edition of the USBC replaces previous editions. It shall become effective on March 1, 1988. Any building that was subject to previous editions of the USBC, and 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 this edition of the USBC shall remain subject to the edition of the USBC in effect at the time of such issuance or commencement of construction or preparation of plans. Subsequent reconstruction, renovation, repair or demolition of such

buildings shall be subject to the pertinent provisions of the USBC in effect at the time of such action.

100.5 Application: As provided in the Uniform Statewide Building Code Law, Chapter 6, Title 36, Code of Virginia, the USBC supersedes the building codes and regulations of the counties, municipalities and other political subdivisions and State agencies, relating to any construction, reconstruction, alterations, conversion, repair, maintenance or use of buildings and installation of equipment therein that takes place after the effective date of the initial edition of the USBC. The USBC does not supersede zoning ordinances or other land use controls that do not effect the manner of construction or materials to be used in the construction, alteration or repair of a building.

100.5.1 Industrialized buildings and manufactured homes: Industrialized buildings registered under the Virginia Industrialized Building Safety Law and manufactured homes labeled under the Federal Manufactured Housing Construction and Safety Standards shall be exempt from the USBC; however, the building official shall be responsible for issuing permits, inspecting the site work and installation of industrialized buildings and manufactured homes, and issuing certificates of occupancy for such buildings when all work is completed satisfactorily.

100.6 Exemptions: The following buildings, structures and equipment are exempted from the requirements of the USBC:

1. Farm buildings and structures not used for residential purposes; however, such buildings and structures lying within a flood plain or in a mudslide-prone area shall be subject to the applicable flood proofing or mudslide regulations.
2. Distribution equipment installed by a provider of publicly regulated utility services and electrical equipment used for radio and television transmission. The exempt equipment shall be under the exclusive control of the public service agency and located on property by established rights; however, the buildings, including their service equipment, housing such public service agencies shall be subject to the USBC.
3. Manufacturing and processing machines and equipment;

however, the buildings, including service equipment, housing such machinery and equipment shall be subject to the USBC.

4. Parking lots and sidewalks; however, parking lots and sidewalks which form part of an accessible route, as defined by ANSI A117.1 - 1980 shall comply with the requirements of Section 512.0.
5. Recreational equipment such as swing sets, sliding boards, climbing bars, jungle gyms, skateboard ramps, and similar equipment when such equipment is a residential accessory use not regulated by the Virginia Amusement Device Regulations.

100.7 Purpose: The purpose of the USBC is to ensure safety to life and property from all hazards incident to building design, construction, maintenance, use, repair, removal or demolition. Buildings shall be permitted to be constructed at the least possible cost consistent with nationally recognized standards for health, safety, energy conservation, water conservation, adequate egress facilities, sanitary equipment, light and ventilation, fire safety, structural strength, and physically handicapped and aged accessibility.

SECTION 101.0 REFERENCE STANDARDS AND AMENDMENTS

101.1 Adoption of model codes and standards: The following model building codes, and all portions of other model codes and standards that are referenced in this Code are hereby adopted and incorporated in the USBC. Where differences occur between provisions of the USBC and the referenced standards, the provisions of the USBC shall apply.

The referenced model codes are:

THE BOCA NATIONAL BUILDING CODE/1987 EDITION
(also referred to herein as BOCA Code)

Published by:
Building Officials and Code Administrators
International, Inc.
4051 West Flossmoor Road

Country Club Hills, Illinois 60478-5795
Telephone No. (708) 799-2300

(Note: The following major subsidiary model codes are among those included by reference as part of the BOCA National Building Code/1987 Edition:)

BOCA National Plumbing Code/1987 Edition
BOCA National Mechanical Code/1987 Edition
NFIPA National Electrical Code/1987 Edition

- * The permit applicant shall have the option to select as an acceptable alternative for detached one and two family dwellings and one family townhouses not more than three stories in height, and their accessory structures the following standard:

CABO ONE AND TWO FAMILY DWELLING CODE/1986 EDITION
and 1987 Amendments (also referred to herein as One and Two Family Dwelling Code)

Jointly published by:

Building Officials and Code Administrators International, Inc.

Southern Building Code Congress, and International Conference of Building Officials.

101.2 General administrative and enforcement amendments to referenced codes: All requirements of the referenced model codes that relate to fees, permits, certification of fitness, unsafe notices, unsafe conditions, maintenance, disputes, condemnation, inspections, existing buildings, existing structures, certification of compliance, approval of plans and specifications and other procedural, administrative and enforcement matters are deleted and replaced by the provisions of Article 1 of the USBC. (Note: The purpose of this provision is to eliminate overlap, conflict and duplication by providing a single standard for administration and enforcement of the USBC.)

101.3 Amendments to the BOCA Code: The amendments noted in Addendum 1 of the USBC shall be made to the specified articles and sections of the BOCA National Building Code/1987 Edition for use as part of the USBC.

101.4 Amendments to the One and Two Family Dwelling Code: The amendments noted in Addendum 2 of the USBC shall be made to the indicated chapters and sections of the One and Two Family Dwelling Code/1986 Edition and 1987 Amendments for use as part of the USBC.

SECTION 102.0 LOCAL BUILDING DEPARTMENTS

102.1 Responsibility of local governments: Enforcement of the USBC Volume I shall be the responsibility of the local building department in accordance with § 36-105, Code of Virginia. Whenever a local government does not have such a building department, it shall enter into an agreement with another local government or with some other agency, or a State agency approved by the Virginia Department of Housing and Community Development for such enforcement. The local building department and its employees may be designated by such names or titles as the local government considers appropriate.

102.2 Building Official: Each local building department shall have an executive official in charge, hereinafter referred to as the building official.

102.2.1 Appointment: The building official shall be appointed in a manner selected by the local government having jurisdiction. After appointment, he shall not be removed from office except for cause after having been afforded a full opportunity to be heard on specific and relevant charges by and before the appointing authority. The local government shall notify the Office of Professional Services within 30 days of the appointment or release of the building official. The building official must complete an orientation course approved by the Department of Housing and Community Development within 90 days after appointment.

102.2.2 Qualifications: The building official shall have had at least five years of building experience as a licensed professional engineer or architect, building inspector, contractor or superintendent of building construction, with at least three years of building experience in which he has been in responsible charge of work as a licensed professional engineer or architect, building inspector, contractor or superintendent of building construction, or shall have any combination of education and experience which would confer equivalent knowledge and ability. The building official shall be generally informed on sound engineering practice in respect to the design and construction of buildings, the basic principles of fire prevention, the accepted requirements for means of egress and the installation of elevators and other service equipment necessary for the health, safety and general welfare of the occupants and the public. The local governing body may establish additional qualification requirements.

102.2.3 Certification: The building official shall obtain a certificate of competency from the Board of Housing and Community Development under § 36-137 of the Code of Virginia within three years of April 1, 1986, or, if employed after that date, within three years of date of employment. To become certified, the building official shall successfully complete the certification program of the Department of Housing and Community Development.

Exception: An individual employed as the building official in any locality in Virginia prior to April 1, 1983 shall be exempt from certification while employed as the building official in that jurisdiction. This exemption shall not apply to subsequent employment as the building official in another jurisdiction.

102.2.4 Educational requirements: The building official shall attend a program of instruction, approved by the Department of Housing and Community Development after each code change cycle of the USBC concerning changes that have been made through adoption of a new edition of the USBC.

102.3 Qualifications of technical assistants: A person shall not be appointed as a technical assistant who has had less than three years

experience in general building construction. Any combination of education and experience which would confer equivalent knowledge and ability shall be deemed to satisfy this requirement.

102.3.1 Certification of technical assistants: Any person employed by, or under contract to, a Virginia governing body for determining compliance with the building, electrical, plumbing, mechanical or fire protection provisions, including plans examination, of the Virginia Uniform Statewide Building Code shall be certified in their trade field within three years of March 1, 1988, or, if employed after that date, within three years of date of employment, in accordance with the certification program of the Department of Housing and Community Development.

Exception: An individual employed as the building, electrical, plumbing, mechanical, fire protection systems inspector or plans examiner in Virginia prior to March 1, 1988 shall be exempt from certification while employed as the technical assistant in that jurisdiction. This exemption shall not apply to subsequent employment as a technical assistant in another jurisdiction.

102.3.2 Educational requirements: Technical assistants shall attend a program of instruction, approved by the Department of Housing and Community Development after each code change cycle of the USBC concerning changes that have been made through adoption of a new edition of the USBC.

102.4 Relief from personal responsibility: The local building department personnel shall not be personally liable for any damages sustained by any person in excess of the policy limits of errors and omissions insurance, or other equivalent insurance obtained by the locality to insure against any action that may occur to persons or property as a result of any act required or permitted in the discharge of official duties while assigned to the department as employees. The building official or subordinates shall not be personally liable for costs in any action, suit or proceedings that may be instituted in pursuance of the provisions of the USBC as a result of any act required or permitted in the discharge of official duties while assigned to the

department as employees, whether or not said costs are covered by insurance. Any suit instituted against any officer or employee because of an act performed by that officer or employee in the discharge of official duties and under the provisions of the USBC may be defended by the department's legal representative.

102.5 Control of conflict of interest: The minimum standards of conduct for building officials and technical assistants shall be in accordance with the provisions of the Virginia Comprehensive Conflict of Interest Act.

SECTION 103.0 DUTIES AND POWERS OF THE BUILDING OFFICIAL

103.1 General: The building official shall enforce the provisions of the USBC as provided herein, and as interpreted by the State Building Code Technical Review Board in accordance with § 36-118, Code of Virginia.

103.2 Modifications: The building official may grant modifications to any of the provisions of the USBC upon application by the owner or the owner's agent provided the spirit and intent of the USBC are observed and public health, welfare and safety are assured. (Note: The current editions of many nationally recognized model codes and standards are referenced by the Uniform Statewide Building Code. Future amendments do not automatically become part of the USBC; however, the building official should give consideration to such amendments in deciding whether a requested modification should be granted. See State Building Code Technical Review Board Interpretation Number 64/81, issued November 16, 1984.)

103.2.1 Supporting data: The building official may require the application to include architectural and engineering plans and specifications that include the seal of a professional engineer or architect. The building official may also require and consider a statement from a professional engineer, architect or other competent person as to the equivalency of the proposed modification.

103.2.2 Records: The application for modification and the final

decision of the building official shall be in writing and shall be officially recorded with the copy of the certificate of use and occupancy in the permanent records of the local building department.

103.3 Delegation of duties and powers: The building official may delegate duties and powers subject to any limitations imposed by the local government, but shall be responsible that any powers and duties delegated are carried out in accordance with the USBC.

103.4 Department records: The building official shall keep records of applications received, permits and certificates issued, reports of inspections, notices and orders issued and such other matters as directed by the local government. A copy of the certificate of use and occupancy and a copy of any modification of the USBC issued by the building official shall be retained in the official records, as long as the building to which it relates remains in existence. Other records may be disposed of in accordance with the provisions of the Virginia Public Records Act and, (a) after retention for one year in the case of buildings under 1,000 square feet in area and one and two family dwellings of any area, and (b) after retention for three years in the case of all other buildings.

103.5 Annual report: At least annually, the building official shall submit to the authority designated by the local government a written statement of operations in the form and content prescribed by such local government. A copy shall be forwarded to the Office of Professional Services for use in studies to improve the Virginia USBC system.

SECTION 104.0 FEES

104.1 Fees: Fees may be levied by the local governing body in order to defray the cost of enforcement and appeals in accordance with § 36-105 of the Code of Virginia.

104.2 When payable: A permit to begin work for new construction, alteration, removal, demolition or other building operation shall not be issued until the fees prescribed by the local government have been

paid to the department of building inspection or other authorized agency of the jurisdiction, nor shall an amendment to a permit necessitating an additional fee be approved until the additional fee has been paid. At the discretion of local government, fee adjustment may be delayed until completion of the project or when work has been authorized to commence prior to permit issuance.

104.3 Fee schedule: A fee for each plan examination, building permit, and inspection shall be paid in accordance with a schedule of fees which shall be established by the local government. The schedule shall incorporate unit rates which may be based on square footage, or cubic footage, or cost of construction, or other appropriate criteria.

104.4 Refunds: In the case of a revocation of a permit or abandonment or discontinuance of a building project, the local government shall provide fee refunds for the portion of the work which was not completed.

104.5 Fee Levy: Local governing bodies shall charge each permit applicant an additional one percent (levy) of the total fee for each building permit. This additional 1% levy shall be transmitted quarterly to the Department of Housing and Community Development, and shall be used to support the training programs of the Virginia Building Code Academy.

Exception: Localities which maintain training academies that are accredited by the Department of Housing and Community Development may retain such levy.

104.5.1 Levy adjustment: The Board of Housing and Community Development shall annually review the percentage of this levy and may adjust the percentage not to exceed one percent. The annual review shall include a study of the operating costs for the previous year's Building Code Academy, the current balance of the levy collected, and the operational budget projected for the next year of the Building Code Academy.

104.5.2 Levy cap: Annual collections of this levy which exceed

\$500,000, or any unobligated fund balance greater than one-third of that fiscal year's collections shall be credited against the levy to be collected in the next fiscal year.

SECTION 105.0 APPLICATION FOR CONSTRUCTION PERMIT

105.1 When permit is required: Written application shall be made to the building official when a construction permit is required. A permit shall be issued by the building official before any of the following actions subject to the USBC may be commenced:

1. Constructing, enlarging, altering, repairing, or demolishing a building or structure.
2. Changing the use of a building either within the same use group or to a different use group when the new use requires greater degrees of structural strength, fire protection, exit facilities or sanitary provisions.
3. Installing or altering any equipment which is regulated by this code.
4. Removing or disturbing any asbestos containing materials during demolition, alteration, renovation of or additions to buildings or structures.

The building official may, at the official's discretion, authorize work to be commenced pending receipt of the written application and issuance of the required permit.

Exception: Ordinary repairs which do not involve any violation of the USBC shall be exempt from this provision. Ordinary repairs shall not include the removal, addition or relocation of any wall or partition, or the removal or cutting of any structural beam or bearing support, or the removal, addition or relocation of any parts of a building affecting the means of egress or exit requirements. Ordinary repairs shall not include the removal, disturbance, encapsulation, or enclosure of any asbestos containing material. Ordinary repairs shall not include additions, alterations, replacement or relocation of the plumbing, mechanical, or electrical systems, or other work affecting public health or general safety. The term "ordinary repairs" shall mean the replacement of the

following materials with like materials:

1. Painting.
2. Roofing when not exceeding 100 square feet of roof area.
3. Glass when not located within specific hazardous locations as defined in Section 2203.2 of the BOCA Code and all glass repairs in Use Group R-3 and R-4 buildings.
4. Doors, except those in fire-rated wall assemblies or exitways.
5. Floor coverings and porch flooring.
6. Repairs to plaster, interior tile work, and other wall coverings.
7. Cabinets installed in residential occupancies.

105.2 Who may apply for a permit: Application for a permit shall be made by the owner or lessee of the building or agent of either, or by the licensed professional engineer, architect, contractor or subcontractor (or their respective agents) employed in connection with the proposed work. If the application is made by a professional engineer, architect, contractor or subcontractor (or any of their respective agents), the building official should verify that the applicant is either licensed to practice in Virginia, or is exempt from licensing under the Code of Virginia. The full names and addresses of the owner, lessee and the applicant, and of the responsible officers if the owner or lessee is a corporate body, shall be stated in the application. The building official shall accept and process permit applications through the mail. The building official shall not require the permit applicant to appear in person.

105.3 Form of application: The application for a permit shall be submitted on forms supplied by the building official.

105.4 Description of work: The application shall contain a general description of the proposed work, its location, the use of all parts of the building, and of all portions of the site not covered by the building, and such additional information as may be required by the building official.

105.5 Plans and Specifications: The application for the permit shall be accompanied by not less than two copies of specifications and of

plans drawn to scale, with sufficient clarity and dimensional detail to show the nature and character of the work to be performed. Such plans and specifications shall include the seal and signature of the architect or engineer under whose supervision they were prepared, or if exempt under the provisions of State law, shall include the name, address, and occupation of the individual who prepared them. When quality of materials is essential for conformity to the USBC, specific information shall be given to establish such quality.

Exceptions

1. The building official may waive the requirement for filing plans and specifications when the work involved is of a minor nature.
2. Detailed plans may be waived by the building official for buildings in Use Group R-4, provided specifications and outline plans are submitted which satisfactorily indicate compliance with the USBC.

In cases where such plans and specifications are exempt under State law, the building official may require that they include the signature and seal of a professional engineer or architect. (Note: Information on the types of construction exempted from the requirement for a professional engineer's or architect's seal and signature is included in Addendum 3.)

105.5.1 Site plan: The application shall also contain a site plan showing to scale the size and location of all the proposed new construction and all existing buildings on the site, distances from lot lines, the established street grades and the proposed finished grades. The building official may require that the application contain the elevation of the lowest floor of the building. It shall be drawn in accordance with an accurate boundary line survey. In the case of demolition, the site plan shall show all construction to be demolished and the location and size of all existing buildings and construction that are to remain on the site. In the case of alterations, renovations, repairs and installation of new equipment, the building official may waive submission of the site plan or any parts thereof.

105.6 Plans review: The building official shall examine all plans and

applications for permits within a reasonable time after filing. If the application or the plans do not conform to the requirements of the USBC, the building official shall reject such application in writing, stating the reasons for rejection.

105.7 Approved plans: The building official shall stamp "Approved" or provide an endorsement in writing on both sets of approved plans and specifications. One set of such approved plans shall be retained by the building official. The other set shall be kept at the building site, open to inspection by the building official at all reasonable times.

105.8 Approval of partial plans: The building official may issue a permit for the construction of foundations or any other part of a building before the plans and specifications for the entire building have been submitted, provided adequate information and detailed statements have been filed indicating compliance with the pertinent requirements of the USBC. The holder of such permit for the foundations or other part of a building shall proceed with construction operations at the holder's risk, and without assurance that a permit for the entire building will be granted.

105.9 Engineering details: The building official may require adequate details of structural, mechanical and electrical work to be filed, including computations, stress diagrams and other essential technical data. All engineering plans and computations shall include the signature of the professional engineer or architect responsible for the design. Plans for buildings more than two stories in height shall indicate where floor penetrations will be made for pipes, wires, conduits, and other components of the electrical, mechanical and plumbing systems. The plans shall show the material and methods for protecting such openings so as to maintain the required structural integrity, fire resistance ratings, and firestopping affected by such penetrations.

105.10 Asbestos inspection in buildings to be renovated or demolished: A local building department shall not issue a building permit allowing a building for which an initial building permit was issued before January 1, 1978 to be renovated or demolished until the local building

department receives a certification from the owner or the owner's agent that the building has been inspected for asbestos, in accordance with standards developed pursuant to subdivision 1 of subsection A of § 2.1-526.14:1 that response actions will be undertaken in accordance with the requirements of the Clean Air Act National Emission Standard for the Hazardous Air Pollutant (NESHAPS) (40 CFR 61, Subpart M,) the management standards for asbestos-containing materials prepared by the Department of General Services in accordance with § 2.1-526.14:2, and the asbestos worker protection requirements established by the U. S. Occupational Safety and Health Administration for construction workers (29 CFR 1926.58).

Exceptions:

1. Single family dwellings.
2. Residential housing with four or fewer units.
3. Farm buildings.
4. Buildings less than 3,500 square feet in area.
5. Buildings with no central heating system.
6. Public utilities required by law to give notification to the Commonwealth of Virginia and to the United States Environmental Protection Agency prior to removing asbestos in connection with the renovation or demolition of a building.

105.11 Amendments to application: Subject to the limitation of Section 105.12, amendments to plans, specifications or other records accompanying the application for permit may be filed at any time before completion of the work for which the permit is issued. Such amendments shall be considered part of the original application and shall be filed as such.

105.12 Time limitation of application: An application for a permit for any proposed work shall be considered to have been abandoned six months after notification by the building official that the application is defective unless the applicant has diligently sought to resolve any problems that are delaying issuance of the permit; except that for reasonable cause, the building official may grant one or more extensions of time.

**SECTION 106.0 PROFESSIONAL ENGINEERING
AND ARCHITECTURAL SERVICES**

106.1 Special professional services; when required: Where an application for unusual design or magnitude of construction is filed or where reference standards in Appendix A of the BOCA Code require special architectural or engineering inspections, the building official may require full time project representation by a professional engineer or architect. This project representative shall keep daily records and submit reports as required by the building official. The decision to require special professional services shall be made by the building official prior to the issuance of the building permit and shall be made a condition for issuance of the permit.

106.2 Attendant fees and costs: All fees and costs related to the performance of special professional services shall be the responsibility of the building owner.

SECTION 107.0 APPROVAL OF MATERIALS AND EQUIPMENT

107.1 Approval of materials; basis of approval: The building official shall require that sufficient technical data be submitted to substantiate the proposed use of any material, equipment, device or assembly. If it is determined that the evidence submitted is satisfactory proof of performance for the use intended, the building official may approve its use subject to the requirements of the USBC. In determining whether any material, equipment, device or assembly complies with the USBC, the building official may consider the recommendations of nationally recognized research, testing and product certification organizations and of engineers and architects registered in this State.

107.2 Used materials and equipment: Used materials, equipment and devices may be used provided they have been reconditioned, tested or examined and found to be in good and proper working condition and approved for use by the building official.

107.3 Approved materials and equipment: All materials, equipment, devices and assemblies approved for use by the building official shall

be constructed and installed in accordance with the conditions of such approval.

SECTION 108.0 INTERAGENCY COORDINATION - FUNCTIONAL DESIGN

108.1 Functional design approval: Pursuant to § 36-98 of the Code of Virginia, certain State agencies have statutory authority to approve functional design and operation of building related activities not covered by the USBC. The building official may refuse to issue a permit until the applicant has supplied certificates of functional design approval from the appropriate State agency or agencies. State agencies with functional design approval are listed in Addendum 4. For purposes of coordination, the local governing body may require reports to the building official by other departments as a condition for issuance of a building permit or certificate of use and occupancy. Such reports shall be based upon review of the plans or inspection of the project as determined by the local governing body.

SECTION 109.0 CONSTRUCTION PERMITS

109.1 Issuance of permits: If the building official is satisfied that the proposed work conforms to the requirements of the USBC, and all applicable laws and ordinances, a permit shall be issued as soon as practicable.

109.2 Signature on permit: The signature of the building official or authorized representative shall be attached to every permit.

109.3 Separate or combined permits: Permits for two or more buildings on the same lot may be combined. Permits for the installation of equipment such as plumbing, electrical or mechanical systems may be combined with the structural permit or separate permits may be required for the installation of each system. Separate permits may also be required for special construction considered appropriate by the local government.

109.4 Annual permit: Instead of an individual permit for each

alteration to an already approved equipment installation, the building official may issue an annual permit.

109.4.1 Annual permit records: The person to whom an annual permit is issued shall keep a detailed record of all alterations to an approved equipment installation made under such annual permit. Such records shall be accessible to the building official at all times or shall be filed with the building official when so requested.

109.5 Posting of permit: A true copy of the building permit shall be kept on the construction site. It shall be posted for public inspection until the work is completed.

109.6 Previous permits: No changes shall be required in the plans, construction or designated use of a building for which a permit has been properly issued under a previous edition of the USBC, provided the permit has not lapsed or become invalid in accordance with Section 109.7 or 109.8 below.

109.7 Revocation of permits: The building official may revoke a permit or approval issued under the provisions of the USBC in case of any false statement or misrepresentation of fact in the application or on the plans on which the permit or approval was based.

109.8 Suspension of permit: Any permit issued shall become invalid if the authorized work is not commenced within six months after issuance of the permit, or if the authorized work is suspended or abandoned for a period of six months after the time of commencing the work; however, permits issued for building equipment such as plumbing, electrical and mechanical work shall not become invalid if the building permit is still in effect. Upon written request the building official may grant one or more extensions of time not to exceed six months per extension.

109.9 Compliance with code: The permit shall be a license to proceed with the work in accordance with the application and plans for which the permit has been issued and any approved amendments thereto and shall not be construed as authority to omit or amend any of the

provisions of the USBC, except as specifically stipulated by approved modification pursuant to the application.

SECTION 110.0 INSPECTIONS

110.1 Right of entry: The building official may inspect buildings for the purpose of enforcing the USBC in accordance with the authority granted by § 36-105 of the Code of Virginia. The building official and assistants shall carry proper credentials of office when inspecting buildings and premises in the performance of duties under the USBC. (Note: § 36-105 of the Code of Virginia provides, pursuant to enforcement of the USBC, that any building may be inspected at any time before completion. It also permits local governments to provide for the reinspection of buildings.)

110.2 Preliminary inspection: Before issuing a permit, the building official may examine all buildings and sites for which an application has been filed for a permit to construct, enlarge, alter, repair, remove, demolish or change the use thereof.

110.3 Minimum inspections: Inspections shall include but are not limited to the following:

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 be supervised by the owner's professional engineer or architect or by such professional service as approved by the building official.
3. Reinforced concrete beams, or columns and slabs after all reinforcing is set and 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.
7. Upon completion of the building, and before issuance of the certificate of use and occupancy, a final inspection shall be made to ensure that any violations have been corrected and all work

conforms with the USBC.

110.3.1 Notification by permit holder: It shall be the responsibility of the permit holder or the permit holder's representative to notify the building official when the stages of construction are reached that require an inspection under Section 110.3 and for other critical items as directed by the building official. All ladders, scaffolds and test equipment required to complete an inspection or test shall be provided by the property owner, permit holder or their representative.

110.3.2 Inspections to be prompt: The building official shall respond to inspection requests without unreasonable delay. The building official shall approve the work or give written notice of defective work to the permit holder or the agent in charge of the work. Such defects shall be corrected and reinspected before any work proceeds that would conceal them. (Note: A reasonable response time should normally not exceed 48 hours.)

110.4 Approved inspection agencies: The building official may accept reports from individuals or inspection agencies which satisfy qualifications and reliability requirements. Inspection reports shall be in writing and shall be certified by the individual inspector or by the responsible officer when the report is from an agency. An identifying label or stamp permanently affixed to the product indicating that factory inspection has been made shall be accepted instead of the written inspection report, if the intent or meaning of such identifying label or stamp is properly substantiated.

110.5 In-plant inspections: When required by the provisions of this code, materials or assemblies shall be inspected at the point of manufacture or fabrication. Prior to the approval of a closed prefabricated assembly and issuance of a building permit, the building official shall require the submittal of an evaluation report of each prefabricated assembly, indicating the complete details of the assembly, including a description of the assembly and its components, the basis upon which the assembly is being evaluated, test results, and other data as necessary for the building official to determine conformance with this code.

110.6 Coordination with other agencies: The building official shall, to the extent practical, cooperate with fire, health and other State and local agencies having related maintenance, inspection or functional design responsibilities, so as to produce effective application of their respective regulations with the least amount of confusion and burden upon those affected.

SECTION 111.0 WORKMANSHIP

111.1 General: All construction work shall be performed and completed in an acceptable manner so as to secure the results intended by the USBC.

SECTION 112.0 VIOLATIONS

112.1 Code violations prohibited: No person, firm or corporation shall construct, alter, extend, repair, remove, demolish or use any building or equipment regulated by the USBC, or cause same to be done, in conflict with or in violation of any of the provisions of the USBC.

112.2 Notice of violation: The building official shall serve a notice of violation on the person responsible for the construction, alteration, extension, repair, removal, demolition or use of a building in violation of the provisions of the USBC, or in violation of plans and specifications approved thereunder, or in violation of a permit or certificate issued under the provisions of the USBC. Such order shall direct the discontinuance and abatement of the violation.

112.3 Prosecution of violation: If the notice of violation is not complied with promptly, the building official shall request the legal counsel of the jurisdiction to institute the appropriate legal proceedings to restrain, correct or abate such violation or to require the removal or termination of the use of the building in violation of the provisions of the USBC.

112.4 Violation penalties: Violations are a misdemeanor in accordance with § 36-106 of the Code of Virginia. Violators, upon conviction,

may be punished by a fine of not more than one thousand dollars.

112.5 Abatement of violation: Conviction of a violation of the USBC shall not preclude the institution of appropriate legal action to require correction or abatement of the violation or to prevent other violations or recurring violations of the USBC relating to construction and use of the building or premises.

SECTION 113.0 STOP WORK ORDER

113.1 Notice to owner: When the building official finds that work on any building is being executed contrary to the provisions of the USBC or in an unsafe and dangerous manner, an order may be issued to stop such work immediately. The stop work order shall be in writing. It shall be given to the owner of the property involved, or to the owner's agent, or to the person doing the work. It shall state the conditions under which work may be resumed. No work covered by a stop work order shall be continued after issuance, except under the conditions stated in the order.

113.2 Application of order limited: The stop work order shall apply only to the work that was being executed contrary to the USBC or in an unsafe and dangerous manner, provided other work in the area would not be unsafe or cause concealment of the work for which the stop work order was issued.

SECTION 114.0 POSTING BUILDINGS

114.1 Use group and form of sign: Prior to its use, every building designed for Use Groups B, F, H, M or S shall be posted by the owner with a suitably designed sign in a form designated by the building official. It shall be securely fastened to the building in a readily visible place. It shall state the use group, the live load and the occupancy load. The date of posting shall be shown on the sign.

114.2 Occupant load in places of assembly: Every room constituting a place of assembly or education shall have the permissible occupant load of the room posted on an approved sign in a conspicuous place,

near the main exit from the room. Signs shall be maintained in a legible manner by the owner or the owner's agent. Signs shall be durable and shall indicate the maximum number of occupants permitted for each room use.

114.3 Street numbers: Each structure to which a street number has been assigned shall have the number so assigned displayed in a position easily observed and readable from the public right of way.

SECTION 115. CERTIFICATE OF USE AND OCCUPANCY

115.1 When required: A building subject to the USBC when erected shall not be used until a certificate of use and occupancy has been issued by the building official. (Note: Before issuing the certificate of use and occupancy, the building official should consider the effect of any applicable regulations of other governmental agencies so that proper coordination therewith may be achieved.)

115.2 Temporary use and occupancy: Upon request of the holder of a permit, the building official may issue a temporary certificate of use and occupancy for a building, or part thereof, before the entire work covered by the permit has been completed, provided such portion or portions may be occupied safely prior to full completion of the building.

115.3 Contents of certificate: When a building is entitled thereto, the building official shall issue a certificate of use and occupancy after written application. The certificate shall state the purpose for which the building may be used in its several parts. When the certificate is issued, the building shall be deemed to be in compliance with the USBC. The certificate of use and occupancy shall specify the use group, the type of construction, the occupancy load in the building and all parts thereof, the edition of the USBC under which the building permit was issued, and any special stipulations, conditions and modifications.

115.4 Changes in use and occupancy: A building hereafter changed

from one use group to another, in whole or in part, whether or not a certificate of use and occupancy has heretofore been issued, shall not be used until a certificate for the changed use group has been issued by the building official. Any use which was not discontinued during the process of change shall be discontinued within 30 days after the completion of the use group change unless the required certificate therefor is secured from the building official.

115.5 Existing buildings: An existing building that was not subject to the USBC when constructed shall not be prevented from continued use. Upon written request from the owner or the owner's agent, the building official shall issue a certificate of use and occupancy for an existing building provided there are no violations of Volume II of the USBC and the use of the building has not been changed.

SECTION 116.0 LOCAL BOARD OF BUILDING CODE APPEALS

116.1 Local Board of Building Code Appeals: Each local government shall have a local Board of Building Code Appeals to act on applications for appeals as required by § 36-105 of the Code of Virginia; or it shall enter into an agreement with the governing body of another county or municipality or with some other agency, or a State agency approved by the Virginia Department of Housing and Community Development.

116.1.1 Separate divisions: The local Board of Building Code Appeals may be divided into two or more separate divisions to consider appeals relating to separate areas of regulation of the Uniform Statewide Building Code. When separate divisions are created, the scope of each shall be clearly stated. The local Board of Appeals may permit appeals from a division to be submitted directly to the State Building Code Technical Review Board. Each division shall comply with the membership requirements and all other requirements of the Uniform Statewide Building Code relating to the local Board of Building Code Appeals.

116.2 Membership: The local Board of Building Code Appeals shall consist of not less than five members appointed by the local

government. Members may be reappointed. (Note: In order to provide continuity, it is recommended that the terms of local Board members be staggered so that less than half of the terms expire in any one year.)

116.2.1 Qualifications of Board members: Board members shall be selected by the local government on the basis of their ability to render fair and competent decisions regarding application of the code, and shall to the extent possible, represent different occupational or professional fields. Employees or officials of the local government appointing the Board shall not serve as Board members. (Note: At least one member should be an experienced builder. At least one other member should be a licensed professional engineer or architect.)

116.3 Officers of the Board: The Board shall select one of its members to serve as chairman. The building official shall designate an employee from the department to serve as secretary to the Board. The secretary shall keep a detailed record of all proceedings on file in the local building department.

116.4 Alternates and absence of members: The local government may appoint alternate members who may sit on the Board in the absence of any regular members of the Board and, while sitting on the Board, shall have the full power and authority of the regular member. A procedure shall be established for use of alternate members in case of absence of regular members.

116.5 Control of conflict of interest: A member of the Board shall not vote on any question in which that member is currently engaged as contractor or material dealer, has prepared the plans or specifications, or has any personal interest.

116.6 Notice of meeting: The Board shall meet upon notice of the chairman or at stated periodic meetings if warranted by the volume of work. The Board shall meet within 20 working days of the filing of an appeal.

116.7 Application for appeal: The owner of a building, the owner's

agent, or any other person, firm or corporation directly involved in the design and/or construction of a building or structure may appeal to the local Building Code Board of Appeals within 90 days from a decision of the building official when it is claimed that:

1. The building official has refused to grant a modification which complies with the intent of the provisions of the USBC; or
2. The true intent of the USBC has been incorrectly interpreted; or
3. The provisions of the USBC do not fully apply; or
4. The use of a form of construction that is equal to or better than that specified in the USBC has been denied.

116.7.1 Form of application: Applications for appeals shall be submitted in writing to the local Building Code Board of Appeals.

116.8 Hearing open to public: All hearings shall be public and conducted in accordance with the applicable provisions of the Administrative Process Act, § 9-6.14, Code of Virginia.

116.9 Postponement of hearing: When a quorum of the Board, as represented by members or alternates, is not present to consider a specific appeal, either the appellant, the building official or their representatives may, prior to the start of the hearing, request a single postponement of the hearing of up to ten (10) working days. A vote equivalent to a majority of the quorum of the Board is required to reverse or modify the decision of the building official. A quorum shall be more than 50% of the Board.

116.10 Form of decision: Every action of the Board shall be by resolution. Certified copies shall be furnished to the appellant and to the building official.

116.11 Enforcement of decision: The building official shall take immediate action in accordance with the decision of the Board.

116.12 Appeal by Chief Fire Marshal: This section shall apply only to buildings subject to State licensure pursuant to §§ 27-78.1 and 63.1-172 of the Code of Virginia. The Chief Fire Marshal authorized by the Virginia Public Building Safety Law, Article 2, Chapter 6, Title 27,

Code of Virginia, shall have the right to inspect applications for building permits or conversions of use group. The Chief Fire Marshal may appeal to the local Building Code Board of Appeals from the decision of the building official when it is claimed that the true intent of the USBC has been incorrectly interpreted as applied to the proposed construction or conversion. Such appeals shall be filed before the required permits are issued. The Chief Fire Marshal may also inspect the building during construction, repair or alteration and may appeal to the local Building Code Board of Appeals from the decision of the building official when it is claimed that the construction, repairs or alterations do not comply with the approved plans. Such appeals shall be filed prior to the issuance of the new or revised certificate of occupancy. Copies of all appeals shall be furnished to the building official and to the applicant for the building permit. (Note: The building official is encouraged to have plans submitted to the Chief Fire Marshal for buildings subject to State licensure in order to prevent delays in construction.)

SECTION 117.0 APPEAL TO THE STATE BUILDING CODE TECHNICAL REVIEW BOARD

117.1 Appeal to the State Building Code Technical Review Board: Any person aggrieved by a decision of the local Board of Building Code Appeals who was a party to the appeal may appeal 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 receipt of the decision of the local appeals board by the aggrieved party.

117.2 Enforcement of decision: Upon receipt of the written decision of the State Building Code Technical Review Board, the building official shall take immediate action in accordance with the decision.

117.3 Court review: Decisions of the State Building Code Technical Review Board shall be final if no appeal is made. An appeal from the decision of the State Building Code Technical Review Board may be presented to the court of the original jurisdiction in accordance with the provisions of the Administrative Process Act, Article 4, § 9-6.14:1

of the Code of Virginia.

SECTION 118.0 EXISTING BUILDINGS AND STRUCTURES

Section 118.1 Alterations to existing buildings: When reconstruction, renovation or repair of existing buildings is undertaken, existing materials and equipment may be replaced with materials and equipment of a similar kind or replaced with greater capacity equipment in the same location when not considered a hazard; however, when new systems, materials and equipment that were not part of the original existing building are added, the new systems, materials and equipment shall be subject to the edition of the USBC in effect at the time of their installation. Existing parts of such buildings not being reconstructed, renovated, or repaired need not be brought into compliance with the current edition of the USBC.

Note 1: Alterations after construction may not be used by the building official as justification for requiring any part of the old building to be brought into compliance with the current edition of the USBC. For example, replacement of worn exit stair treads that are somewhat deficient in length under current standards does not, of itself, mean that the stair must be widened. It is the intent of the USBC that alterations be made in such a way as not to lower existing levels of health and safety.

Note 2: The intent of this Section is that when buildings are altered by the addition of equipment that is neither required nor prohibited by the USBC, only those requirements of the USBC that regulate the health and safety aspects thereof shall apply. For example, a partial automatic alarm system may be installed when no alarm system is required provided it does not violate any of the electrical safety or other safety requirements of the Code.

118.2 Conversion of building use: No change shall be made in the use of a building which would result in a change in the use group classification unless the building complies with all applicable requirements for the new use group classification in accordance with Section 105.1(2). An application shall be made and a certificate of use and occupancy shall be issued by the building official for the new use. Where it is impractical to achieve exact compliance with the

USBC the building official shall, upon application, consider issuing a modification under the conditions of Section 103.2 to allow conversion.

SECTION 119.0 MOVED BUILDINGS

119.1 General: No building shall be moved into or within the jurisdiction without application to the building official and issuance of a certificate of use and occupancy for the new location. The entire building shall be brought into compliance with the USBC unless it meets the following requirements after relocation.

1. No change has been made in the use of the building.
2. The building complies with all State and local requirements that were applicable to it in its previous location and that would have been applicable to it if it had originally been constructed in the new location.
3. The building has not become unsafe during the moving process due to structural damage or for other reasons.
4. Any alterations, reconstruction, renovations or repairs made pursuant to the move have been done in compliance with the USBC.

SECTION 120.0 UNSAFE BUILDINGS

120.1 Right of condemnation before completion: Any building under construction that fails to comply with the USBC through deterioration, improper maintenance, faulty construction, or for other reasons, and thereby becomes unsafe, unsanitary, or deficient in adequate exit facilities, and which constitutes a fire hazard, or is otherwise dangerous to human life or the public welfare, shall be deemed an unsafe building. Any such unsafe building shall be made safe through compliance with the USBC or shall be taken down and removed, as the building official may deem necessary.

120.2 Right of condemnation after completion: Authority to condemn unsafe buildings on which construction has been completed and a certificate of occupancy has been issued, or which have been occupied, may be exercised after official action by the local governing body

pursuant to § 36-105 of the Code of Virginia.

120.3 Inspection of unsafe buildings; records: The building official shall examine every building reported, before completion, as unsafe, and shall prepare a report to be filed in the records of the department. In addition to a description of unsafe conditions found, the report shall include the use of the building, and nature and extent of damages, if any, caused by a collapse or failure.

120.4 Notice of unsafe building: If a building is found to be unsafe the building official shall serve a written notice on the owner, the owner's agent or person in control, describing the unsafe condition and specifying the required repairs or improvements to be made to render the building safe, or requiring the unsafe building or portion thereof to be taken down and removed within a stipulated time. Such notice shall require the person thus notified to declare without delay to the building official the acceptance or rejection of the terms of the notice.

120.5 Posting of unsafe building notice: If the person named in the notice of unsafe building cannot be found after diligent search, such notice shall be sent by registered or certified mail to the last known address of such person. A copy of the notice shall be posted in a conspicuous place on the premises. Such procedure shall be deemed the equivalent of personal notice.

120.6 Disregard of notice: Upon refusal or neglect of the person served with a notice of unsafe building to comply with the requirement of the notice to abate the unsafe condition, the legal counsel of the jurisdiction shall be advised of all the facts and shall be requested to institute the appropriate legal action to compel compliance.

120.7 Vacating building: When, in the opinion of the building official, there is actual and immediate danger of failure or collapse of a building, or any part thereof, which would endanger life, or when any building or part of a building has fallen and life is endangered by occupancy of the building, the building official may order the occupants to vacate the building forthwith. The building official shall

cause a notice to be posted at each entrance to such building reading as follows: "This Structure is Unsafe and its Use or Occupancy has been Prohibited by the Building Official". No person shall thereafter enter such a building except for one of the following purposes: (a) to make the required repairs; (b) to take the building down and remove it; or (c) to make inspections authorized by the building official.

120.8 Temporary safeguards and emergency repairs: When, in the opinion of the building official, there is immediate danger of collapse or failure of a building or any part thereof which would endanger life, or when a violation of this code results in a fire hazard that creates an immediate, serious and imminent threat to the life and safety of the occupants; he shall cause the necessary work to be done to the extent permitted by the local government to render such building or part thereof temporarily safe, whether or not legal action to compel compliance has been instituted.

SECTION 121.0 DEMOLITION OF BUILDINGS

121.1 Disconnection of utility services: Before a building may be demolished or removed, the owner or the owner's agent shall notify all utilities having service connections to the building such as water, electric, gas and sewer. A permit to demolish or remove a building shall not be issued until a release is obtained from the utilities, stating that their respective service connections and appurtenant equipment, such as meters and regulators have been removed or sealed and plugged in a safe manner.

121.1.1 Asbestos inspection: Demolition permits shall not be issued until any certification reports required by Section 105.10 have been received by the building official. No demolition shall be started until all asbestos containing materials have been removed in accordance with the certification documents.

121.2 Notice to adjoining owners: Prior to issuance of a permit to demolish, written notice shall be given by the applicant to the owners of adjoining lots and to the owners of other lots where the temporary

removal of utility wires or other facilities may be necessitated by the proposed work.

121.3 Hazard prevention: Whenever a building is demolished or removed, the premises shall be maintained free from all unsafe or hazardous conditions by the proper use of the premises and by restoration of established grades and by the erection of the necessary retaining walls and fences in accordance with the provisions of Article 30 of the BOCA Code.

ADDENDUM 1

AMENDMENTS TO THE BOCA NATIONAL BUILDING CODE/1987 EDITION

As provided in Section 101.3 of the Virginia Uniform Statewide Building Code, the amendments noted in this Addendum shall be made to the BOCA National Building Code/1987 Edition for use as part of the USBC.

ARTICLE 1

ADMINISTRATION AND ENFORCEMENT

- (A) Entire article is deleted and replaced by Article 1, Adoption, Administration and Enforcement, of the Virginia Uniform Statewide Building Code.

ARTICLE 2

DEFINITIONS

- (A) Change the following definitions in Section 201.0, General Definitions to read:

Building: means a combination of any materials, whether portable or fixed, that forms a structure for 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 USBC, but such buildings 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 building shall be construed as though followed by the words "or part or parts and fixed equipment thereof" unless the context clearly requires a different meaning. The word building includes the word structure.

Jurisdiction: means the local governmental unit which is responsible for enforcing the USBC under State law.

Mobile unit: means a structure of vehicular, portable design, built on a chassis and designed to be moved from one site to another, subject to the Industrialized Building and Manufactured Home Safety Regulations, and designed to be used without a permanent foundation.

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.

Structure: means an assembly of materials forming a construction for 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. 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.

Use group: means the classification or subclassification of a building or structure based on the purpose for which it is used as listed in Article 3. (Note: See Appendix A for Use Group Classification of child care facilities.)

(B) Add these new definitions to Section 201.0, General Definitions:

Ambulatory: for the purposes of this code the definition for "ambulatory" shall be as defined in § 63.1-174.1 of the Code of Virginia.

Farm building: means a structure located on a farm utilized for the storage, handling or production of agricultural, horticultural and floricultural products normally intended for sale to domestic or

foreign markets and buildings used for the maintenance, storage or use of animals or equipment related thereto.

Local government: means any city, county or town in this State, or the governing body thereof.

Manufactured home: means a structure subject to Federal Regulations, which is transportable in one or more sections; is eight body feet or more in width and forty body feet or more in length in the traveling mode, or is 320 or more square feet when erected on site; is built on a permanent chassis; is designed to be used as a single family dwelling, with or without a permanent foundation when connected to the required utilities; and includes the plumbing, heating, air-conditioning, and electrical systems contained in the structure.

Night club: means a place of assembly that provides exhibition, performance or other forms of entertainment; serves food and/or alcoholic beverages; and provides music and space for dancing.

Plans: means all drawings that together with the specifications, describe the proposed building construction in sufficient detail and provide sufficient information to enable the building official to determine whether it complies with the USBC.

Specifications: means all written descriptions, computations, exhibits, test data and other documents that together with the plans, describe the proposed building construction in sufficient detail and provide sufficient information to enable the building official to determine whether it complies with the USBC.

ARTICLE 3

USE GROUP CLASSIFICATION

(A) Change Section 302.1 to read:

302.1 General: All buildings and structures, or parts thereof, shall be classified in Use Group A which are used or designed for places of assembly as defined in this code. Assembly type uses with a total occupancy load of 50 or less shall be classified as Use Group B.

ARTICLE 4

TYPES OF CONSTRUCTION CLASSIFICATION

(A) Add a note j to Table 401 to read:

Note j. Dwelling unit separation for buildings of Type 2C, 3B and 5B construction shall have fire-resistance ratings of not less than 1/2 hour in buildings sprinklered throughout in accordance with Section 1004.2.1 or 1004.2.2.

ARTICLE 5

GENERAL BUILDING LIMITATIONS

(A) Change Section 502.3 to read:

502.3 Automatic sprinkler system: When a building of other than Use Group H is equipped throughout with an automatic sprinkler system

in accordance with Section 1004.2.1 or 1004.2.2, the area limitation specified in Table 501 shall be increased by 200 percent for one and two story buildings and 100 percent for buildings more than two stories in height. An approved limited area sprinkler system is not considered as an automatic sprinkler system for the purpose of this section.

(B) Change Section 503.1 to read:

503.1 Automatic sprinkler system: When a building is equipped throughout with an automatic sprinkler system in accordance with Section 1004.2.1, the building height limitation specified in Table 501 shall be increased one story and twenty feet (6096mm). This increase shall not apply to buildings of Use Group I-2 of Types 2C, 3A, 4 and 5A construction nor to buildings of Use Group H. An approved limited-area sprinkler system is not considered an automatic sprinkler system for the purpose of this section. The building height limitations for buildings of Use Group R-2 specified in Table 501 shall be increased 1 story and 20 feet, but not to exceed a height of 4 stories and 60 feet, when the building is equipped with an automatic sprinkler system in accordance with Section 1004.2.2.

(C) Replace Section 512.0 Physically Handicapped and Aged with the following new section:

SECTION 512.0 BUILDING ACCESSIBILITY AND USABILITY FOR PERSONS WITH PHYSICAL DISABILITIES

Note: The accessibility provisions of the 1984 edition of the Uniform Statewide Building Code are being retained in the 1987 edition. Study committees are working to develop new accessibility provisions for public review and future adoption in accordance with the Administrative Process Act.

512.1 Application: The accessibility and usability requirements of Section 512.0 shall apply to buildings and to the exterior sites and facilities associated therewith, except as follows:

1. Section 512.0 shall not apply to buildings or portions thereof classified as Use Group H, S, or U.
2. Section 512.0 shall not apply to any building with an area of 1,000 square feet or less. However, the building entrance and the entrances to all spaces therein that are open to the public shall be accessible.
3. Section 512.0 shall not apply to a building of Use Group A that accommodates fewer than 51 persons. However, the building entrance and the entrances to all spaces therein that are open to the public shall be accessible.
4. Section 512.0 shall apply only to the first story of any multistory building in which the combined area of all stories is less than 12,000 square feet. However, the entrances to all spaces therein that are open to the public shall be accessible.
5. Section 512.0 shall not apply to individually owned dwelling units in buildings of Use Groups R-1, R-2, and R-3.
6. Section 512.0 shall not apply to buildings of Use Group R-4.
7. Section 512.0 shall not apply to mechanical rooms, storage rooms, and other types of incidental rooms and spaces.

512.2 Standard imposed: Buildings regulated by this section, the functional spaces and elements therein, and the exterior sites and facilities associated therewith, shall be made accessible and usable in accordance with American National Standard Specifications for Making Buildings and Facilities Accessible to and Usable by Physically Handicapped People, ANSI A117.1-1980 (Standard). (Note: For ease of reference, the corresponding section numbers of the ANSI Standard are appended, in brackets, to some of the following provisions of this section.)

512.2.1 Accessibility defined: Accessible, as applied to building sites and facilities, to buildings, and to functional spaces and elements in buildings, means that they have been designed and equipped in compliance with the Standard so that they can be approached, entered and used by physically disabled persons. [ANSI 3.5]

512.2.2 Adaptability defined: Adaptability, as applied to buildings, sites and facilities, to buildings, and to functional spaces and elements in buildings, means that they have been designed in compliance with the definition of adaptability in the Standard so that they can be readily converted to comply with the accessibility requirements of Section 512.0 without the necessity for structural changes or for changes to the concealed plumbing, electrical or mechanical services. [ANSI 3.4]

512.3 Reasonable numbers for accessibility in buildings: Where the Standard requires that a reasonable number of functional spaces and elements be made accessible in buildings, the following numbers shall apply: [ANSI 2.2.3]

1. **Drinking fountains:** If drinking fountains are provided, at least one on each accessible floor shall comply with the Standard. [ANSI 4.1.2(9)]
2. **Toilet and bathing facilities:** If toilet, bathing or shower facilities are provided, a minimum of one for each sex on each accessible floor shall comply with the Standard. If there are practical difficulties involved in carrying out this requirement when alterations or additions are made to an existing building, or when one Use Group is changed to another Use Group, the required separate rooms for each sex need not be made accessible if an additional accessible room containing the required facilities is provided. Such room shall be lockable from the interior for privacy. A separate accessible urinal is not required if an accessible water closet is provided. [ANSI 4.1.2(10)]
3. **Toilets in shopping malls:** In shopping centers and shopping malls, required toilet facilities may be installed in individual stores or in a central toilet area if the distance of travel from the main entrance of any store does not exceed 250 feet and the way of travel is totally within the shopping center or mall.
4. **Public telephones:** If a bank of public telephones is provided on any accessible floor, at least one telephone shall be equipped with a volume control that complies with the Standard. [ANSI 4.31.5]

5. Fixed seating, tables, and work surfaces: If fixed or built-in seating, tables or work surfaces are provided in accessible spaces, a minimum of two percent, but at least one, shall comply with the Standard. [ANSI 4.1.2(17)]
6. Seating in assembly areas: A minimum of two percent, but at least two, of the total of all seats shall be arranged as accessible seating locations in compliance with the Standard for persons who use wheelchairs. Portable or quick release seats may be utilized in fifty percent of the required accessible seating locations in assembly areas with fixed seats, provided the seats are removed when the space is needed for persons using wheelchairs. Accessible seating locations shall be provided on all levels where wheelchair access is possible. [ANSI 4.33.1]

512.3.1 Supplemental requirements for accessibility in buildings: The following functional spaces and elements in buildings shall be made accessible, except in single family dwelling units:

1. Dormitories: A minimum of two percent, but at least one, of the dormitory bedroom spaces and at least one of each type of public functional space and element in the building. Only the floors which have dormitory and bedroom spaces, or on which accessible functional spaces and elements are provided, need be accessible.
2. Dining areas: A minimum of two percent, but at least one, of the seating locations, and a minimum of one of each type of functional space and element associates with the dining areas.
3. Laboratories: A minimum of two percent, but at least one, of the stations within each laboratory, and a minimum of one of each type of functional space and element associated with the laboratory.
4. Libraries: On each library floor, a minimum of two percent, but at least one, of the seating locations at study carrels, and at least one table and one of each type of functional space and element associated with the library.
5. Physical education facilities: In locker or dressing rooms, a minimum of one percent, but at least one, of the lockers and one of each type of associated functional space and element shall be accessible.

512.4 Reasonable numbers for exterior accessibility: Where the Standard requires that a reasonable number of exterior sites and facilities associated with buildings be made accessible, the following numbers shall apply:

1. **Parking for 5 or more vehicles:** When 5 or more parking spaces are provided for Use Group R-1 and R-2 buildings, a minimum of one percent, but at least one, of the parking spaces shall comply with the Standard. When parking is provided for other buildings, the number of parking spaces required to comply with the Standard shall be as specified in Table 512.4. Accessible parking spaces shall be identified by signs showing the symbol of accessibility specified in the Standard. The bottom edge of each sign shall be no lower than 4 feet, nor higher than 7 feet, above the parking surface. This requirement applies to parking lots and garages.
2. **Parking for fewer than 5 vehicles:** When fewer than five parking spaces are provided, at least one shall be 13 feet wide. It shall be marked with lines to provide a parking area 8 feet in width and a loading area 5 feet in width.

TABLE 512.4

Total parking spaces in lot or garages	Required Number of accessible spaces
1 thru 50	1
51 thru 100	2
101 thru 200	3
201 and over	3 plus 1% of spaces in excess of 200

(Note: When determination by percent results in a number containing a decimal of .5 or more, the next higher full number shall be used.)

3. Drinking fountains: If drinking fountains are provided, at least one shall comply with the Standard. [ANSI 4.1.1.(9)]
4. Toilet and bathing facilities: If toilet, bathing or shower facilities are provided, a minimum of one for each sex shall comply with the Standard. If there are practical difficulties involved in carrying out this requirement when alterations or additions are made to an existing building, or when one Use Group is changed to another Use Group, the required separate rooms for each sex need not be made accessible if an additional accessible room which contains the required accessible facilities is provided. Such room shall be lockable from the interior for privacy. A separate accessible urinal is not required if an accessible water closet is provided. [ANSI 4.1.1(10)]
5. Public telephones: If a bank of public telephones is provided, at least one telephone shall be equipped with a volume control that complies with the Standard. [ANSI 4.31.5]
6. Fixed seating, tables, and work surfaces: If fixed or built-in seating, tables or work surfaces are provided, a minimum of two percent, but at least one, shall comply with the Standard.
7. Seating in assembly areas: A minimum of two percent, but at least two, of the total of all seats shall be arranged as accessible seating locations in compliance with the Standard for persons who use wheelchairs. Portable or quick release seats may be utilized in fifty percent of the required accessible seating locations in assembly areas with fixed seats, provided the seats are removed when the space is needed for persons using wheelchairs. Accessible seating locations shall be provided on all levels. [ANSI 4.33.1]

512.5 Bedroom units in Use Group R-1: In hotels, motels, and other buildings of Use Group R-1 the entrance doors to bedroom units and to the toilets therein shall be accessible. In such buildings that contain more than 20 bedroom units, the number of bedroom units required to be accessible shall be as follows:

1. 21 through 99, one accessible unit;
2. 100 and over, one accessible unit, plus one for each additional 100 units or fraction thereof. To the extent practicable, the

accessible bedroom units shall be representative of the different types of units within the building.

512.5.1 Multiple buildings on a single lot: In determining the number and location of accessible bedroom units, all buildings of Use Group R-1 on a single lot shall be considered as one building.

512.6 Dwelling units in Use Groups R-2 and R-3: In buildings of Use Group R-2 or R-3 containing more than 20 dwelling units, except those that are individually owned, the number of dwelling units required to be accessible shall be as follows:

1. 21 through 99, one accessible unit;
2. 100 and over, one accessible unit plus one for each additional 100 units or fraction thereof.

512.6.1 Multiple buildings on a single lot: In determining the required number and location of accessible dwelling units, all buildings of Use Group R-2 and R-3 on a single lot shall be considered as one building. [ANSI 3.5]

512.7 Adaptability in R-2 dwelling units: Such units need not be fully equipped for accessibility at the time of construction provided at least 5% of all dwelling units comply with the adaptability requirements of Sections 4.34.4, 4.34.5 and 4.34.6 of the Standard. The accessibility requirements for telephone height, for lavatory, tub and shower controls, and for other items specified in Section 4.34.2 of the Standard may be omitted at the time of construction provided any such item can, when needed by the occupant, be readily adapted to full accessibility without plumbing, electrical, mechanical, or structural change.

ARTICLE 6

SPECIAL USE AND OCCUPANCY REQUIREMENTS

(A) Change Item #3 of Section 610.3.1 to read as follows:

3. The area is equipped with an automatic fire detection system installed in accordance with Section 1018.0; and

(B) Change Item #4 of Section 610.3.2 to read as follows:

4. The area is equipped with an automatic fire detection system installed in accordance with Section 1018.0; and

(C) Change Section 610.3.3 to read as follows:

610.3.3 Waiting areas of unlimited area: Spaces constructed as required for corridors shall not be open to a corridor, except where:

1 and 2 remain the same.

3. The space and corridors which the space opens onto in the same smoke compartment are protected by an automatic fire detection system installed in accordance with Section 1018.0; and

4 remains the same.

(D) Change Item #4 of Section 610.3.5 to read as follows:

4. The area is equipped with an automatic fire detection system installed in accordance with Section 1018.0; and

(E) Change Section 610.4 to read as follows:

610.4 Corridor walls: Corridor walls shall form a barrier to limit the transfer of smoke. The walls shall extend from the floor to the underside of the floor or roof deck above or to the underside of the fire-resistance rated floor/ceiling or roof/ceiling assembly above when the ceiling membrane is constructed to limit the transfer of smoke.

(F) Change Section 610.4.1 to read as follows:

610.4.1 Corridor doors: All doors shall conform to Section 916.0. Corridor doors other than those in a wall required to be rated by Section 610.2 or for the enclosure of a vertical opening shall not have a required fire-resistance rating, but shall provide an effective barrier to limit the transfer of smoke.

(G) Change Section 610.6 to read as follows:

610.6 Automatic fire detection: An automatic fire detection system shall be provided in common spaces open to the corridor as permitted by Section 610.3.

(H) Delete Section 610.6.1 and renumber the remaining section.

(I) Add new Section 618.5 to read as follows:

SECTION 618.5 MAGAZINES

618.5 Magazines: Magazines for the storage of explosives, ammunition and blasting agents shall be constructed in accordance with the Statewide Fire Prevention Code as adopted by the Board of Housing and Community Development.

(J) Change Section 621.0 to read as follows:

SECTION 621.0 MOBILE UNITS AND MANUFACTURED HOMES

621.1 General: Mobile units, as defined in Section 201.0, shall be designed and constructed to be transported from one location to another and not mounted on a permanent foundation. Manufactured homes shall be designed and constructed to comply with the Federal Manufactured Housing Construction and Safety Standards and used with or without a permanent foundation.

621.2 Support and anchorage of mobile units: The manufacturer of each mobile unit shall provide with each unit specifications for the support and anchorage of the mobile unit. The manufacturer shall not be required to provide the support and anchoring equipment with the unit. Mobile units shall be supported and anchored according to the manufacturer's specifications. The anchorage shall be adequate to withstand wind forces and uplift as required in Article 11 for buildings and structures, based upon the size and weight of the mobile unit.

621.3 Support and anchorage of manufactured homes: The manufacturer of the home shall provide with each manufactured home printed instructions specifying the location, required capacity and other details of the stabilizing devices to be used with or without a permanent foundation (i.e. tiedowns, piers, blocking, footings, etc.) based upon the design of the

manufactured home. Manufactured homes shall be supported and anchored according to the manufacturer's printed instructions or supported and anchored by a system conforming to accepted engineering practices designed and engineered specifically for the manufactured home. Footings or foundations on which piers or other stabilizing devices are mounted shall be carried down to the established frost lines. The anchorage system shall be adequate to resist wind forces, sliding and uplift as imposed by the design loads.

621.3.1 Hurricane zone: Manufactured homes installed or relocated in the hurricane zone shall be of Hurricane and Windstorm Resistive design in accordance with the Federal Manufactured Housing Construction and Safety Standards and shall be anchored according to the manufacturer's specifications for the hurricane zone. 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, Greenville, Northumberland, Westmoreland, Isle of Wight, Northampton, York, James City, New Kent, King & Queen, Prince George.

612.4 Anchorage of used mobile units and manufactured homes: When used mobile units or used manufactured homes are being installed or relocated and the manufacturer's original installation instructions are not available the anchoring system, including ground anchors, shall be designed by a professional engineer or architect or shall be as follows:

1. Hurricane zone: Tiedowns shall be not more than 8 feet on center and not more than 2 feet from the end of the unit.
2. Nonhurricane zone: Tiedowns shall be not more than 12 feet on center and not more than 2 feet from the end of the unit.
3. Ground anchor load capacity: Each ground anchor shall be capable of resisting without failure an allowable working load equal to or exceeding 3,150 pounds plus a 50 percent overload factor.
4. 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.

(C) Add new Section 627.0

SECTION 627.0 UNDERGROUND STORAGE TANKS

627.1 General: The installation, upgrade, or closure of any underground storage tanks containing an accumulation of regulated substances, shall be in accordance with the Underground Storage Tank Regulations adopted by the State Water Control Board.

ARTICLE 7

INTERIOR ENVIRONMENTAL REQUIREMENTS

(A) Add new Section 706.2.3 as follows:

706.2.3 Insect screens: Every door and window or other outside opening used for ventilation purposes serving any building containing habitable rooms, food preparation areas, food service areas, or any areas where products used in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tight fitting screens of not less than 16 mesh per inch.

(B) Amend Section 714.0 as follows:

SECTION 714.0 SOUND TRANSMISSION CONTROL IN RESIDENTIAL BUILDINGS

714.1 Scope: This section shall apply to all common interior walls, partitions and floor/ceiling assemblies between adjacent dwellings or between a dwelling and adjacent public areas such as halls, corridors, stairs or service areas in all buildings of Use Group R.

714.2 Airborne noise: Walls, partitions and floor/ceiling assemblies separating dwellings from each other or from public or service areas shall have a sound transmission class (STC) of not less than 45 for airborne noise when tested in accordance with ASTM E90 listed in Appendix A. This requirement shall not apply to dwelling entrance doors, but such doors shall be tight-fitting to the frame and sill.

714.3 Structure borne sound: Floor/ceiling assemblies between dwellings and between a dwelling and a public or service area within the structures shall have an impact insulation class (IIC) rating of not less than 45 when tested in accordance with ASTM E492 listed in Appendix A.

(C) Add new Section 715.0

SECTION 715.0 HEATING FACILITIES

715.1 Residential buildings: Every owner of any structure who rents, leases, or lets one or more dwelling units or guest rooms on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to May 15 to maintain a room temperature of not less than 65 degrees F. (18 degrees C.), in all habitable spaces, bathrooms, and toilet rooms during the hours between 6:30 a.m. and 10:30 p.m. of each day and maintain a temperature of not less than 60 degrees F. (16 degrees C.) during other hours. The temperature shall be measured at a point 3 feet (914 mm) above the floor and 3 feet (914 mm) from exterior walls.

Exception: When the exterior temperature falls below 0 degrees F. (-18 degrees C.) and the heating system is operating at its full capacity, a minimum room temperature of 60 degrees F. (16 degrees C.) shall be maintained at all times.

715.2 Other structures: Every owner of any structure who rents, leases, or lets the structure or any part thereof on terms, either express or implied, to furnish heat to the occupant thereof; and every occupant of any structure or part thereof who rents or leases said structure or part thereof on terms, either express or implied, to supply its own heat, shall supply sufficient heat during the period from October 1 to May 15 to maintain a temperature of not less than 65 degrees F. (18 degrees C.), during all working hours in all enclosed spaces or rooms where persons are employed and working. The temperature shall be measured at a point 3 feet (914 mm) above the floor and 3 feet (914 mm) from exterior walls.

Exceptions:

1. Processing, storage and operations areas that require cooling or special temperature conditions.
2. Areas in which persons are primarily engaged in vigorous physical activities.

ARTICLE 8

MEANS OF EGRESS

(A) Change exception 4 of Section 807.3.1 to read:

4. When the floor areas below the level of exit discharge are equipped throughout with an automatic sprinkler system in accordance with Section 1004.2.1 or 1004.2.2.

(B) Change the exception to Section 807.4.1 to read:

Exception: In buildings equipped throughout with an automatic sprinkler system in accordance with Section 1004.2.1 or 1004.2.2, the minimum separation distance shall be one-fourth the length of the maximum overall diagonal dimension.

(C) Change Section 807.5 to read:

807.5 Length of Travel: Except as modified by the provisions of Section 809.3 for buildings with one exit, all exits shall be so located that the maximum length of exit access travel, measured from the most remote point to an approved exit along the natural and unobstructed line of travel, shall not exceed the distances given in Table 807. In single exit buildings covered by Section 809.3, where the area is subdivided into rooms or compartments and the egress travel in the room or compartment is not greater than 50 feet (15240 mm), or 100 feet in buildings equipped throughout with an automatic sprinkler system in accordance with Section 1004.2.1 or 1004.2.2, the exit access travel distance limitation shall be measured from the exit access entrance to the nearest exit.

(D) Add a Note c to Table 809.3 to read:

Note c: Buildings of Use Group R-2 equipped throughout with an automatic sprinkler system in accordance with Section 1004.2.1 or 1004.2.2 shall have a maximum height above grade of 3 stories.

(E) Change exception 3 of Section 809.4 to read:

3. Buildings equipped throughout with an automatic sprinkler system in accordance with Section 1004.2.1 or 1004.2.2.

(F) Change Section 810.4.1 to read:

810.4.1 Automatic Fire Suppression System Alternative: When an automatic sprinkler system is installed in accordance with Section 1004.0 and supervised in accordance with Section 1020.1 parts 1, 2 or 3, and has its water flow alarm device connected to an approved central station system, proprietary system or remote station system of the jurisdiction, a fireresistance rating for exit access corridors, and tenant separation walls which are also corridors walls, is not required in Use Groups A, B, E, F, M and S. In Use Groups R-1, R-2 and I-1, the corridor walls shall have a fireresistance rating of not less than 1/2 hour. 'Corridor walls, and dwelling unit separation walls which are also corridor walls, in Use Groups R-1, R-2 and I-1 shall be constructed tight to the underside of the ceiling directly above.

(G) Add exception number 6 to Section 812.4.1 to read as follows:

6. Devices such as double cylinder dead bolts which can be used to lock doors to prevent egress shall be permitted on egress doors in Use Groups, B, F, M or S. These doors may be locked from the inside when all of the following conditions are met:
 - i. The building is occupied by employees only and all employees have ready access to the unlocking device.
 - ii. The locking device is of a type that is readily distinguished as locked, or a "DOOR LOCKED" sign with red letters on white background is installed on the locked doors. The letters shall be 6" high and 3/4" wide.
 - iii. A permanent sign is installed on or adjacent to lockable doors stating "THIS DOOR TO REMAIN UNLOCKED DURING PUBLIC OCCUPANCY." The sign shall be in letters not less than 1" high on a contrasting background.

(H) Add new Section 829.0

SECTION 829.0 EXTERIOR DOORS

829.1 Swinging entrance doors: Exterior swinging doors of each dwelling unit in buildings of Use Group R-2 shall be equipped with a dead bolt lock, with a throw of not less than one inch, and shall be capable of

being locked or unlocked by key from the outside and by turn-knob from the inside.

829.2 Exterior sliding doors: In dwelling units of Use Group R-2 buildings, exterior sliding doors which are one story or less above grade, or shared by two dwelling units, or are otherwise accessible from the outside, shall be equipped with locks. The mounting screws for the lock case shall be inaccessible from the outside. The lock bolt shall engage the strike in a manner that will prevent its being disengaged by movement of the door.

Exception: Exterior sliding doors which are equipped with removable metal pins or charlie bars.

829.3 Entrance doors: Entrance doors to dwelling units of Use Group R-2 buildings shall be equipped with door viewers with a field of vision of not less than 180 degrees.

Exception: Entrance doors having a vision panel, or side vision panels.

ARTICLE 9

FIRE RESISTIVE CONSTRUCTION

(A) Change Section 910.3 Multiple single-family dwellings to read as follows:

910.3 Multiple single-family dwellings: Single-family dwelling units (Use Group R-3) located above or adjacent to other single-family dwelling units (Use Group R-3) shall be considered as one building classified as Use Group R-3 for the purpose of determining the applicable provisions of the code, provided each dwelling unit is completely separated from the adjacent dwelling unit(s) by a wall assembly providing a minimum, 2 hour fire-resistance rating in accordance with Section 906.0 or 908.0 and floor/ceiling assemblies of not less than one (1) hour fire-resistance rated construction and each unit has independent means of egress.

(B) Add the following exception to Section 921.6.1.

Exception: The ceiling line of walls, partitions and furred spaces constructed of noncombustible materials as defined by 903.4.

(C) Add exception 5 to Section 921.7.2.1 to read:

5. In buildings of combustible construction sprinklered in accordance with Section 1004.2.2, the attic space shall be subdivided by draftstops into areas not exceeding 3,000 square feet, or above every two dwelling units, whichever is smaller.

(D) Change Section 922.7.1 to read:

922.7.1 Suppression system exception: Where an automatic sprinkler system is provided in accordance with Section 1004.2.1 or 1004.2.2, Class II materials are permitted in any area where Class I materials are required and materials complying with the DOC FF-1 "pill test" listed in Appendix A are permitted in any area where Class II materials are required.

(E) Add a sentence to Section 926.4 to read:

Balconies and similar appendages on buildings of Types 3, 4 and 5 construction shall be permitted to be of Type 5 construction, and shall not be required to have a fire resistance rating when sprinkler protection is extended to these areas.

ARTICLE 10

FIRE PROTECTION SYSTEMS

(A) Change Section 1002.6 to read:

Use Groups B, R-1 and R-2: In all buildings or structures of Use Groups B, R-1 and R-2 when more than 12 stories or 150 feet (45720 mm) in height.

Exception: Delete in entirety.

(B) Change Section 1002.6.1 to read:

1002.6.1 Use Group B, when more than 50 feet in height: Fire suppression systems shall be installed in buildings and structures of Use Group B, when more than 50 feet in height and less than 75 feet in height according to the following conditions:

1. The height of the building shall be measured from the point of the lowest grade level elevation accessible by fire department vehicles at the building or structure to the floor of the highest occupiable story of the building or structure.
 2. Adequate public water supply is available to meet the needs of the suppression system.
 3. Modifications for increased allowable areas and reduced fire ratings permitted by Sections 502.3, 503.1, 906.2.2, 906.3.1, 921.7.2, 921.7.2.2, 922.7.1, and any others not specifically listed shall be granted.
 4. The requirements of Section 602.0 for high-rise buildings, such as, but not limited to compartmentation, voice alarm systems, central control stations, and smoke control systems, shall not be applied to buildings and structures affected by this section.
- (C) Add a new Section 1002.7 to read as follows and renumber existing sections 1002.7 through 1002.22 respectively:

1002.7 Use Groups R-1 and R-2: Throughout all buildings of Use Groups R-1 and R-2.

Exceptions:

1. Use Group R-2 buildings where an adequate public water supply is not available to meet the demand of the suppression system.
 2. Use Group R-1 buildings where all guestrooms are not more than three stories above the lowest level of exit discharge of the exits serving the guestroom. Each guestroom shall have at least one door opening directly to an exterior exit access which leads directly to the exits.
 3. Use Groups R-1 and R-2 buildings which are required to be protected in accordance with Section 1002.6.
- (D) Change Section 1002.9 to read as follows:

1002.9 Use Group I: Throughout all buildings with a Use Group I fire area.

Exception: Use Group I-2 child care facilities located at the level of exit discharge and which accommodate 100 children or less. Each child care room shall have an exit door directly to the exterior.

(E) Change Section 1004.0 to read as shown:

SECTION 1004.0 FIRE SPRINKLER SYSTEMS

1004.1 General: Automatic sprinkler systems shall be approved and shall be designed and installed in accordance with the provisions of this code.

1004.2 Equipped throughout: Where the provisions of this code require that a building or portion thereof be equipped throughout with an automatic sprinkler system, the system shall be designed and installed in accordance with Sections 1004.2.1, 1004.2.2 or 1004.2.3.

Exception: Where the use of water as an extinguishing agent is not compatible with the fire hazard (see Section 1003.2) or is prohibited by a law, statute or ordinance, the affected area shall be equipped with an approved automatic fire suppression system utilizing a suppression agent that is compatible with the fire hazard.

1004.2.1 NFIPA 13 systems: The system shall be designed and installed in accordance with NFIPA 13 listed in Appendix A.

Exception: In Use Group R fire areas, sprinklers shall not be required in bathrooms that do not exceed 55 square feet in area and are located within individual dwelling units or guestrooms.

1004.2.1.1 Quick response sprinklers: NFIPA 13 systems installed in Use Group I-2 fire areas shall use quick response sprinklers in patient sleeping rooms.

1004.2.2 NFIPA 13R systems: In buildings four stories or less in height, systems designed and installed in accordance with NFIPA 13R listed in Appendix A shall be permitted in Use Group I-1 fire areas in buildings with not more than 16 occupants, and in Use Group R fire areas.

Exception: Sprinklers shall not be required in bathrooms that do not exceed 55 square feet in area and are located within individual dwelling units or guestrooms.

1004.2.3 NFIPA 13D systems: In Use Group I-1 fire areas in buildings with not more than 8 occupants, systems designed and installed in accordance with NFIPA 13D listed in Appendix A shall be permitted.

Exceptions

1. Sprinklers shall not be required in bathrooms that do not exceed 55 square feet in area.
 2. A single fire protection water supply shall be permitted to serve not more than 8 dwelling units.
- (Sections 1004.3 thru 1004.8 remain the same)

(F) Change Section 1017.7.2 to read:

1017.7.2 Alarms: Audible alarms of the approved type shall be provided. The operation of any permanently installed fire alarm device shall cause all other permanently installed audible or visual alarms to operate. Alarm sounding devices shall be of approved type, shall provide a distinctive tone and shall not be used for any purpose other than that of a fire alarm. They shall be of such character and so located as to be seen or effectively heard above all other sounds, to all the occupants, in every occupied space within the building.

Exception: Smoke detectors in buildings of Use Group I-3 shall be permitted to alarm at a constantly attended location and are not required to accomplish general alarm indication.

(G) Add new Section 1017.7.2.1 to read as follows:

1017.7.2.1 Visual and audible alarms: Visual and audible alarms meeting the requirements of ANSI/UL Standard 1638 and ANSI/NFPA 72G shall be provided in occupancies housing the hard of hearing as required by § 36-99.5 of the Code of Virginia. In no case shall the effective intensity be less than 100 candela. Portable alarms meeting these requirements shall be accepted.

(H) Change Section 1018.3.1 to read as follows:

1018.3.1 Use Groups I-1 and I-2: In all buildings of Use Group I-1 and I-2.

(I) Delete Sections 1018.3.4 and 1018.3.5.

(J) Add a new Section 1019.0 to read as below and renumber the existing Sections 1019.0, 1020.0, and 1021.0, respectively:

**SECTION 1019.0 SINGLE AND MULTIPLE STATION
SMOKE DETECTORS**

1019.1 General: Single and multiple station detectors shall be of an approved type and installed in accordance with the provisions of this code and NFPA 74 listed in Appendix A.

1019.2 Plans and specifications: Where single and multiple station smoke detectors are required by this code, the plans and specifications shall show the location and number with specifications of the type of detector.

1019.3 Where required: Single and multiple station smoke detectors shall be installed and maintained in full operating condition in the following locations:

1019.3.1 Use Group R-1: In the following locations of Use Group R-1:

1. In all sleeping areas.
2. In every room in the path of egress from the sleeping area to the door leading from the guestroom or suite.
3. In each additional story within the guestroom or suite, including basements.

Exception: In suites or guestrooms with split levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level provided the lower level is less than one full story below the upper level. If there is an intervening door between the adjacent levels, a smoke detector shall be installed on both levels.

1019.3.2 Use Group R-2: In all dwelling units in buildings of Use Group R-2 at the following locations:

1. In the immediate vicinity of the bedrooms.
2. In all bedrooms.
3. In each additional story within the dwelling unit including basements.

Exceptions:

1. In dwelling units with split levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level provided the lower level is less than one full story below the upper level and a door does not intervene between the adjacent levels.
2. In buildings equipped throughout with an automatic sprinkler system

installed in accordance with Sections 1004.2.1 or 1004.2.2, smoke detectors are not required in the bedrooms when the bedrooms are equipped with residential sprinklers.

1019.3.3 Use Group R-3: In the immediate vicinity of bedrooms in buildings of Use Group R-3.

Exception:

1. In dwelling units with split levels, a smoke detector installed on the upper level shall suffice for the adjacent lower level provided the lower level is less than one full story below the upper level and a door does not intervene between the adjacent levels.

1019.3.4 Use Group I-1: In all sleeping areas of buildings of Use Group I-1.

Exception: Where the building is equipped throughout with an automatic fire detection system.

1019.4 Inter-connection: When more than one detector is required to be installed within an individual dwelling unit, the detectors shall be wired in such a manner that the actuation of one alarm will actuate all alarms in the individual unit.

(I) Add a new exception to Section 1020.1 to read:

6. Buildings of Use Group R complying with Section 1004.2.2.

ARTICLE 11

STRUCTURAL LOADS

(A) Add new text to Section 1109.3 as shown:

1109.3 Hydrostatic loading: All foundation slabs and other footings subjected to water pressure shall be designed to resist a uniformly distributed uplift equal to the full hydrostatic pressure. All foundation slabs, footings, and walls of buildings located in flood hazard and high hazard zones shall be designed to resist uplift and lateral loads associated with hydrostatic pressure resulting from flooding to the base flood elevation.

(B) Add a new Section 1109.4 to read as below and renumber the existing Sections 1109.4, 1109.5, 1109.6, and 1109.7, respectively:

1109.4 Hydrodynamic loads: For buildings located in flood hazard and high hazard zones, all structural components located below the base flood elevation shall be designed to resist hydrodynamic forces resulting from velocity waters during flooding to the base flood elevation.

(C) Change Table 1113.4.1 to read as follows:

Seismic Zone	Z
4	1
3	3/4
2	9/32
1	3/16
0	1/8

ARTICLE 12

FOUNDATION SYSTEMS

(A) Add new provision to Section 1205.0 Depth of Footings:

1205.4 Small storage sheds: The building official may accept utility sheds without footings when they are used for storage purposes and do not exceed 150 square feet in gross floor area when erected or mounted on adequate supports.

ARTICLE 13

MATERIALS AND TESTS

(A) Add new Section 1300.4 to read as follows:

1300.4 Lead based paint: Lead based paint with a lead content of more than 0.5 percent shall not be applied to any interior or exterior surface of a dwelling, dwelling unit or child care facility, including fences and outbuildings at these locations.

ARTICLE 21

EXTERIOR WALL

(A) Add new text to Section 2102.4.2 as shown:

2102.4.2 Anchorage: The structural systems of all buildings or structures shall be designed, connected and anchored to resist flotation, collapse or permanent lateral movement due to structural loads and stresses from flooding equal to the base flood elevation and shall be designed in accordance with Section 1109.3 and 1109.4.

(B) Change Section 2102.4.3 to read as follows:

2102.4.3 Enclosures below base flood elevation: Enclosed spaces below the base flood elevation shall not be used for human occupancy with the exception of structure egress, entrance foyer, stairways, and incidental storage. Fully enclosed spaces shall be designed to automatically equalize hydrostatic forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect in accordance with Section 2101.10 or meet the following minimum criteria: A minimum of two openings having a total net area of not less than one square inch for every square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be no higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.

(C) Change Section 2102.4.4 to read:

2102.4.4 Water resistant construction: Buildings or structures of any use groups except Use Group R shall, in lieu of meeting the elevation provisions of Section 2102.4.1, be erected with floors usable for human occupancy below the base flood elevation provided that the following conditions are met:

1. All space below the base flood elevation shall be constructed with walls and floors that are substantially impermeable to the

passage of water. Construction which does not allow the seepage of exterior water and water vapor under hydrostatic pressure of flooding to the base flood elevation to exceed an accumulation of four inches of water depth during a twenty-four hour period if there were no devices provided for removing the water shall be considered substantially impermeable.

2, 3, and 4 remain unchanged.

(D) Change Section 2102.5.2 to read:

2102.5.2 Enclosures below base flood elevation: All spaces below the base flood elevation in a high hazard zone shall not be used for human occupancy and shall be free of obstruction except as permitted herein:

1, 2, and 3 remain unchanged.

4. The space below the elevated floor shall be either free of obstruction or constructed with non-supporting breakaway walls, open wood lattice work, or insect screening intended to collapse under wind and water loads without causing collapse, displacement, or other structural damage to the elevated portion of the building or supporting foundation system. A breakaway wall shall have a design safe loading resistance of not less than 10 or more than 20 pounds per square foot. Use of breakaway walls which exceed a design safe loading resistance of 20 pounds per square foot is permitted only if a registered engineer or architect certifies as specified in Section 2102.10.2 that the design meets the following conditions:

- i) Breakaway wall collapse shall result from a water load less than that which would occur during a base flood; and,
- ii) The elevated portion of the building and supporting foundation system shall not be subject to collapse, displacement, or other structural damage due to the effects of wind loads as specified in Section 912 and water loads as specified in Section 1109 acting simultaneously on all building components (structural and non-structural).

(E) Add new text to Section 2102.6 as shown:

2102.6 Protection of mechanical and electrical systems: New and replacement electrical equipment, and heating, ventilating, air conditioning and other service facilities shall be either placed above the base flood elevation or protected so as to prevent water from entering or accumulating within the system components during floods upon the base flood elevation in accordance with the BOCA Basic National Mechanical Code listed in Appendix A. Installation of electrical wiring and outlet, switch, junction boxes and panels below the base flood elevation shall conform to the provisions of NFPA 70 listed in Appendix A for location of such items in wet locations. Duct installation subject to water damage shall not be installed below base flood elevation.

- (F) Add a new Section 2102.7 to read as follows and renumber existing Sections 2102.7 thru 2102.10.3 respectively:

2102.7 Construction materials, methods and practices: All buildings or structures erected in flood hazard or high hazard zones shall be constructed with materials resistant to flood damage and be constructed by methods and practices that minimize flood damage. Construction materials shall be resistant to water damage in accordance with the provisions of Sections 1207.0, 1219.2, 1224.4, 1709.1, 1710.2, 1712.2, 1712.3.1 and 1712.4.

- (G) Add new Sections 2102.8.1 and 2102.8.2 to read as follows:

2102.8.1 Water supply: New and replacement water supply systems shall be designed to minimize infiltration of flood waters into the system in accordance with the provisions of the BOCA National Plumbing Code listed in Appendix A.

2102.8.2 Sanitary sewage: New and replacement sanitary sewage systems shall be designed to minimize infiltration of flood waters into the systems and discharges from the systems into flood waters in accordance with the provisions of the BOCA Basic National Plumbing Code listed in Appendix A.

ARTICLE 25

MECHANICAL EQUIPMENT AND SYSTEMS

(A) Change Section 2500.2 to read as follows:

2500.2 Mechanical code: All mechanical equipment and systems shall be constructed, installed and maintained in accordance with the mechanical code listed in Appendix A, as amended below:

1. Add a new Section M-301.5 to read:

M-301.5 Floodproofing: For buildings located in a flood hazard area, such spaces shall be either placed above the base flood elevation or protected so as to prevent water from entering or accumulating within the space during floods up to the base flood elevation.

2. Add new text to Section M-305.4 as shown:

M-305.4 Underground ducts: Ducts shall be rated for underground installation. Metallic ducts not having an approved protective coating shall be completely encased in a minimum of 2 inches (51 mm) of concrete. Metallic ducts having an approved protective coating and nonmetallic ducts shall be installed in accordance with the manufacturer's installation instructions. All underground ducts located in a flood hazard area shall be capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of bouyancy, during the occurrence of flooding to the base flood elevation.

3. Add new text to Section M-703.1 as shown:

M-703.1 General: Piping shall be installed so as to prevent strains and stresses which will exceed the limitations of the pipe. All piping located in a high hazard flood hazard area shall be capable of resisting hydrostatic and hydrodynamic stresses, including bouyancy, during the occurrence of flooding to the base flood elevation. Provisions shall be

made for expansion and contraction and for structural settlement that may affect the piping. Piping shall be installed so as not to create structural stresses or strains within building components.

4. Add a new Section M-805.6 to read as follows:

M-805.6 Floodproofing: All underground piping located in a flood hazard area shall be capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of bouyancy, during the occurrence of flooding to the base flood elevation.

5. Add a new Section M-806.2 to read as follows:

M-806.2 Floodproofing: All such piping located in a flood hazard area shall be anchored and reinforced so that it is capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of bouyancy, and loads resulting from water-borne debris during the occurrence of flooding to the base flood elevation.

6. Add new text to Section M-905.2 as shown:

M-905.2 Protection of pipe and equipment: All fuel oil pipe and equipment shall be protected from physical damage. All fuel oil pipe located in flood hazard or high hazard areas shall be capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of bouyancy, during the occurrence of flooding to the base flood elevation.

7. Delete Article 17 Air Quality:

8. Add Note to M-2100.4 to read as follows:

(Note: Boilers and pressure vessels constructed under this Article shall be inspected and have a certificate of inspection issued by the Department of Labor and Industry.)

ARTICLE 27

ELECTRIC WIRING AND EQUIPMENT

(A) Add Section 2700.5 to read as follows:

2700.5 Telephone outlets: Each dwelling unit shall be pre-wired to provide at least one telephone outlet (jack). In multifamily dwellings, the telephone wiring shall terminate inside or outside of the building at a point prescribed by the telephone company.

ARTICLE 28

PLUMBING SYSTEMS

(A) Change Section 2800.1 to read as follows:

2800.1 Scope: The design and installation of plumbing systems, including sanitary and storm drainage, sanitary facilities, water supplies and storm water and sewage disposal in buildings shall comply with the requirements of this article and the plumbing code listed in Appendix A (BOCA National Plumbing Code/1987) as amended below:

1. Change Section P-303.1 to read as follows:

P-303.1 General: The water distribution and drainage system of any building in which plumbing fixtures are installed shall be connected to public water main and sewer respectively, if available. Where a public water main is not available, an individual water supply shall be provided. Where a public sewer is not available, a private sewage disposal system shall be provided conforming to the Regulations of the Virginia Department of Health.

2. Change Section P-303.2 to read as follows:

P-303.2 Public systems available: A public water supply system or public sewer system shall be deemed available to premises used for human occupancy if such premises are within (number of feet and inches as determined by the local government) measured along a

street, alley, or easement, of the public water supply or sewer system, and a connection conforming with the standards set forth in the USBC may be made thereto.

3. Change Section P-308.3 to read as follows:

P-308.3 Freezing: Water service piping and sewers shall be installed below recorded frost penetration but not less than (number of feet and inches to be determined by the local government) below grade for water piping and (number of feet and inches to be determined by the local government) below grade for sewers. In climates with freezing temperatures, plumbing piping in exterior building walls or areas subjected to freezing temperatures shall be adequately protected against freezing by insulation or heat or both.

4. Add a new Section P-308.8 to read as follows:

P-308.8 Floodproofing: All piping located in flood hazard or high hazard areas shall be capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of bouyancy, during the occurrence of flooding to the base flood elevation.

5. Delete Section P-311.0, Toilets for workers.

6. Add a new Section P-500.6 to read as follows:

P-500.6 Floodproofing: All joints between pipes located in a flood hazard or high hazard area shall be capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of bouyancy, during the occurrence of flooding to the base flood elevation.

7. Add a new Section P-602.6 to read as follows:

P-602.6 Floodproofing: All drainage piping located in flood hazard or high hazard areas shall be capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of bouyancy, during the occurrence of flooding to the base flood elevation.

8. Add a new Section P-1106.3 to read as follows:

P-1106.3 Floodproofing: All manhole covers located in flood hazard or high hazard areas shall either be elevated to or above the base flood elevation or shall be sealed to resist hydrostatic and hydrodynamic loads and stresses, including the effects of bouyancy, during the occurrence of flooding to the base flood elevation.

9. Change Note d of Table P-1202.1 to read:

For attached one and two family dwellings one automatic clothes washer connection shall be required per 20 dwelling units. Automatic clothes washer connections are not required for Use Group R-4.

10. Revise Table P-1202.1 for Building Use Groups A-1, A-3 Halls, Museums, etc., A-4 and A-5.

Water Closets

Building Use group	Water Closets	
	Urinals see Section P-1206.2	
	Males	Females
A-1 Assembly, theaters	1 per 125	1 per 65
A-2 Assembly, nightclubs	1 per 40	1 per 40
Assembly, restaurants	1 per 75	1 per 75
A-3 Halls, museums, etc.	1 per 125	1 per 65
A-4 Assembly, churches	1 per 150	1 per 75
A-5 Assembly, stadiums pools, etc.	1 per 100	1 per 50

11. Change Section P-1202.2 to read as follows:

P-1202.2 Separate facilities: Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

1. Residential Installations.
2. Occupancies in which 15 or less people are employed.
3. Buildings or tenant spaces with a total occupant load of 15 or less which serve food or beverage to be consumed within the building or tenant space.

12. Change Section P-1202.5 to read as follows:

P-1202.5 Customer facilities: Customers, patrons and visitors shall be provided with public toilet facilities in restaurants, nightclubs, places of public assembly and mercantile buildings. In shopping centers and shopping malls, required facilities shall be installed in individual stores or in a central toilet area if the distance of travel from the main entrance of any store does not exceed 500 feet (152m) or more than one flight of stairs.

Exception: Customer facilities are not required in buildings or tenant spaces with a customer occupant load of less than 150 which do not serve food or beverage to be consumed within the building or tenant space.

13. Add new Section P-1501.3:

P-1501.3 Public water supply and treatment: The approval, installation and inspection of raw water collection and transmission facilities, treatment facilities and all public water supply transmission mains shall be governed by the Virginia Waterworks Regulations. The internal plumbing of buildings and structures, up to the point of connection to the water meter shall be governed by this code. Where no meter is installed, the point of demarcation shall be at the point of connection to the public water main; or, in the case of an owner of both public water supply system and the building served, the point of demarcation is the point of entry into the building. (Note: See Memorandum of Agreement between the Board of Housing and Community Development and the Virginia Department of Health, signed July 21, 1980.)

14. Add a new Section P-1502.3 to read as follows:

P-1502.3 Water service pipes in hazard areas: All water service pipes located in flood hazard or high hazard areas shall be capable of resisting hydrostatic and hydrodynamic loads and stresses, including the effects of bouyancy, during the occurrence of flooding to the base flood elevation in order to minimize or eliminate infiltration of flood waters into the water supply system.

15. Add Note to P-1506.3 to read as follows:

(Note: Water heaters which have a heat input of greater than 200,000 BTU per hour, a water temperature of over 210° F, or contain a capacity of more than 120 gallons shall be inspected and have a certificate of inspection issued by the Department of Labor and Industry.)

16. Delete Article 16 Individual Water Supply:

- (B) Change Section 2804.3 to read as follows:

2804.3 Private water supply: When public water mains are not used or available, a private source of water supply may be used. The Health Department shall approve the location, design and water quality of the source prior to the issuance of the permit. The building official shall approve all plumbing, pumping and electrical equipment associated with the use of a private source of water.

- (C) Change Section 2807.1 to read as follows:

2807.1 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, which must approve the location and design of

the system and septic tanks or other means of disposal. Approval of pumping and electrical equipment shall be the responsibility of the building official.

(D) Add new section 2807.2 as follows:

2807.2 Modifications: 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:

1. A single parcel of land is owned by applicant and a single family dwelling is being constructed for the owners use. State Health Department to approve design and location of sanitary facilities prior to the issuance of building permit.
2. Temporary recreational use buildings shall mean any building occupied intermittently for recreational purposes only. Such buildings shall be located in areas only as accepted by local government. Such buildings shall not be located within an approved or recorded residential subdivision.

ARTICLE 29

SIGNS

- (A) Delete Section 2901.1 Owner's Consent.
- (B) Delete Section 2901.2 New Signs.
- (C) Delete Section 2906.0 Bonds and Liability Insurance.

ARTICLE 30

PRECAUTIONS DURING BUILDING OPERATIONS

- (A) Change Section 3000.1 to read as follows:

3000.1: The provisions of this article shall apply to all construction operations in connection with the erection, alteration, repair, removal or demolition of buildings and structures. It is applicable only to the protection of the general public. Occupational health and safety protection of building-related workers are regulated by the Virginia Occupational Safety and Health Standards for the Construction Industry, which are issued by the Virginia Department of Labor and Industry.

ARTICLE 31

ENERGY CONSERVATION

(A) Revise Section 3100.2 to read as follows:

3100.2 Other standards: Compliance with the applicable provisions of ASHRAE 90A or 90B listed in Appendix A shall be deemed to meet the requirements of this article, unless otherwise specifically provided herein. In lieu of compliance with the ASHRAE Standard, buildings shall be deemed to meet the requirements of this article when complying with the Manual of Accepted Practice 1984 Edition (published by: Code Development Office, Department of Housing and Community Development, 205 North Fourth Street, Richmond, Virginia 23219).

ARTICLE 32

REPAIR, ALTERATION, ADDITION TO, AND CHANGE OF USE OF EXISTING BUILDINGS

(A) Add new Section 3200.1.1 to read as follows:

3200.1.1 Application: Compliance to the provisions of this article are to be considered an acceptable alternative to meeting the requirements of the USBC relating to the repair, alteration, addition to, and/or change of use to existing buildings.

APPENDIX A - REFERENCED STANDARDS

- (A) Add new standard: NFPA 13R, Standard for the Installation of Sprinkler Systems in Residential Occupancies up to Four Stories in Height, 1989 Edition.

- (B) Add new standard: NFPA 13D, Standard for the Installation of Sprinkler Systems in One- and Two-Family Dwellings and Mobile Homes, 1989 Edition.

AMENDMENTS TO THE CABO ONE AND TWO FAMILY
DWELLING CODE/1986 EDITION
AND 1987 AMENDMENTS

As provided in Section 101.4 of the Virginia Uniform Statewide Building Code, the amendments noted in this Addendum shall be made to the CABO One and Two Family Dwelling Code/1986 Edition and 1987 Amendments for use as part of the USBC.

PART I - ADMINISTRATIVE

Chapter 1 - ADMINISTRATIVE

- (A) Any requirements of Sections R-101 through R-113 that relate to administration and enforcement of the CABO One and Two Family Dwelling Code are superseded by Article 1 Adoption, Administration and Enforcement of the Virginia USBC.

PART II - BUILDING PLANNING

Chapter 2 - BUILDING PLANNING

- (A) Add Section R-204.1.1 Insects Screens:

R-204.1.1 Insect Screens: Every door and window or other outside opening used for ventilation purposes serving any building containing habitable rooms, food preparation areas, food service areas, or any areas where products used in food for human consumption are processed, manufactured, packaged or stored, shall be supplied with approved tight fitting screens of not less than 16 mesh per inch.

- (B) Change Section R-207 to read as follows:

Section R-207 - Sanitation

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

Each dwelling unit shall be provided with a kitchen area and every kitchen area shall be provided with a sink of approved nonabsorbent material.

All plumbing fixtures shall be connected to a sanitary sewer or to an approved private sewage disposal system.

All plumbing fixtures shall be connected to an approved water supply and provided with hot and cold running water, except water closets may be provided with cold water only.

Modifications to this section may be granted by the local building official, upon agreement by the local health department, for reasons of hardship, unsuitable soil conditions or temporary recreational use of the building.

(C) Add to Section R-212:

Key operation is permitted from a dwelling unit provided the key cannot be removed when the door is locked from the side from which egress is to be made.

(D) Change Section R-216.1 to read:

R-216.1 Smoke Detectors Required: Smoke detectors shall be installed outside of each separate sleeping area in the immediate vicinity of the bedrooms and on each story of the dwelling, including basements and cellars, but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels, a smoke detector need be installed only on the upper level, provided the lower level is less than one full story below the upper level, except that if there is a door between levels then a detector is required on each level. All detectors shall be connected to a sounding device or other detectors to provide, when activated, an alarm which will be audible in all sleeping areas. All detectors shall be approved and listed and shall be installed in accordance with the manufacturers instructions. When one or more sleeping rooms are added or created in existing dwellings, the addition shall be provided with smoke detectors located as required for new dwellings.

- (E) Add new Section R-221:

Section R-221 - Telephone Outlets

Each dwelling unit shall be prewired to provide at least one wall telephone outlet (jack). The telephone wiring shall terminate on the exterior of the building at a point prescribed by the telephone company.

- (F) Add new Section R-222:

Section R-222 - Lead Based Paint

Lead Based Paint: Lead based paint with a lead content of more than 0.5 percent shall not be applied to any interior or exterior surface of a dwelling, dwelling unit or child care facility, including fences and outbuildings at these locations.

- (G) Add new Section R-223:

Section R-223 - Street Numbers

Street Numbers: Each structure to which a street number has been assigned shall have the number so assigned displayed in a position easily observed and readable from the public right of way.

PART III - CONSTRUCTION

Chapter 3 - FOUNDATIONS

- (A) Add Section 301.6 Floodproofing to read as follows:

301.6 Floodproofing: All buildings or structures located in areas prone to flooding as determined by the governing body having jurisdiction shall be floodproofed in accordance with the provisions of Section 2102.0 of the 1987 BOCA National Building Code.

Chapter 9 - CHIMNEYS AND FIREPLACES

(A) Change Section R-904.5 to read as follows:

R-904.5 Hearth Extension Material: Masonry fireplaces at or near the floor level shall have hearth extensions of not less than 3/8 inch thick asbestos, brick, concrete, stone, tile or other approved non-combustible material properly supported and reinforced to carry its own weight and all imposed loads. Such hearth extensions shall be placed on 4 inch thick solid masonry distinguishable from the surrounding floor. Combustible forms and centers used during the construction of hearth and hearth extension shall be removed after the construction is completed.

(B) Add Section 904.10 as follows:

R-904.10 Spark Arrestor: Spark arrestor screens shown in Figure R-904 are optional unless specifically required by the manufacturer of the fireplace stove or other appliance utilizing a chimney.

PART IV - MECHANICAL

(A) Add new Section 1101.1:

Section 1101.1 Residential Buildings: Every owner of any structure who rents, leases, or lets one or more dwelling units or guest rooms on terms, either expressed or implied, to furnish heat to the occupants thereof shall supply sufficient heat during the period from October 1 to May 15 to maintain a room temperature of not less than 65 degrees F. (18 degrees C.), in all habitable spaces, bathrooms, and toilet rooms during the hours between 6:30 a.m. and 10:30 p.m. of each day and maintain a temperature of not less than 60 degrees F. (16 degrees C.) during other hours. The temperature shall be measured at a point 3 feet (914 mm) above the floor and 3 feet (914 mm) from exterior walls.

EXCEPTION: When the exterior temperature falls below 0 degrees F. (-18 degrees C.) and the heating system is operating at its full capacity, a minimum room temperature of 60 degrees F. (16

degrees C.) shall be maintained at all times.

PART V - PLUMBING

Chapter 21 - PLUMBING MATERIALS

(A) Change Section R-2104.4 Joints and Connections to read:

P-2104.4 Joints and Connections: Joints in polybutylene (PB) plastic pipe or tubing underground shall be prohibited. Joints in copper pipe or tube installed in a concrete floor slab or under a concrete floor slab on grade shall be installed using wrought copper fittings and brazed joints. All other joints in copper pipe or tube shall be made by the appropriate use of cast bronze or wrought copper fittings, fluxed and made with solder conforming to ASTM B32, except that solder or flux containing more than 0.2% lead shall not be used in water service and water distribution piping.

NOTE: Automatic clothes washer connections are not required for Use Group R-4.

PART VI - ELECTRICAL

(A) Revise Part VI as follows:

The electrical installations shall conform to the Electrical Code for One and Two Family Dwellings (NFPA 70A-1987) published by the National Fire Protection Association.

PART VII - ENERGY CONSERVATION

(A) Revise Part VII as follows:

The energy conservation requirements shall conform to Article 31 of the BOCA National Building Code/1987.

ADDENDUM 3

UNIFORM STATEWIDE BUILDING CODE LAW

CODE OF VIRGINIA

TITLE 36 CHAPTER 6

(and other related laws)

ARTICLE 1.

General Provisions.

§ 38-97. **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 thereof 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 Commonwealth 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 Commonwealth.

(9) "**Local governing body**" means the governing body of any city, county or town in this Commonwealth.

(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 Commonwealth.

(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; however, 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, dumbwaiters, 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 but excluding water wells. 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. 394; 1977, cc. 423, 613; 1978, c. 703; 1986, c. 401.)

§ 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. (1972, c. 829; 1977, c. 613; 1979, c. 718; 1980, c. 104; 1982, c. 267.)

§ 36-98.1. State buildings. — The Building Code shall be applicable to all state-owned buildings and structures, with the exception that §§ 2.1-514 through 2.1-521.1 shall provide the standards for ready access to and use of state-owned buildings by the physically handicapped.

Any state-owned building or structure for which preliminary plans were prepared or on which construction commenced after the initial effective date of the Uniform Statewide Building Code, shall remain subject to the provisions of the Uniform Statewide Building Code that were in effect at the time such plans were completed or such construction commenced. Subsequent reconstruction, renovation or demolition of such building or structure shall be subject to the pertinent provisions of the Building Code.

Acting through the Division of Engineering and Buildings, the Department of General Services shall function as the building official for state-owned buildings. The Department shall review and approve plans and specifications, grant modifications, and establish such rules and regulations as may be necessary to implement this section. It shall provide for the inspection of state-owned buildings and enforcement of the Building Code and standards for access by the physically handicapped by delegating inspection and Building Code enforcement duties to the State Fire Marshal's Office, to other appropriate state agencies having needed expertise, and to local building departments, all of which shall provide such assistance within a reasonable time and in the manner requested. State agencies and institutions occupying

buildings shall pay to the local building department the same fees as would be paid by a private citizen for the services rendered when such services are requested by the Department of General Services. The Department of General Services may alter or overrule any decision of the local building department after having first considered the local building department's report or other rationale given for its decision. When altering or overruling any decision of a local building department, the Department of General Services shall provide the local building department with a written summary of its reasons for doing so. (1981, c. 325; 1982, c. 97; 1986, c. 133.)

§ 38-86.2. Appeals from decision of Building Official regarding state-owned buildings. — Appeals by the involved state agency from the decision of the Building Official for state-owned buildings shall be made directly to the State Building Code Technical Review Board. (1982, c. 97.)

§ 38-86.3. Amusement devices. — A. The Board shall have the power and duty to promulgate regulations pertaining to the construction, maintenance, operation and inspection of amusement devices. Amusement device means a device or structure open to the public by which persons are conveyed or moved in an unusual manner for diversion. Regulations promulgated hereunder shall include provisions for the following:

1. The issuance of certificates of inspection prior to the operation of an amusement device;
2. The demonstration of financial responsibility of the owner or operator of the amusement device prior to the operation of an amusement device;
3. Maintenance inspections of existing amusement devices;
4. Reporting of accidents resulting in serious injury or death;
5. Immediate investigative inspections following accidents involving an amusement device that result in serious injury or death;
6. Certification of amusement device inspectors;
7. Qualifications of amusement device operators;
8. Notification by amusement device owners or operators of an intent to operate at a location within the Commonwealth; and
9. A timely reconsideration of the decision of the local building department when an amusement device owner or operator is aggrieved by such a decision.

B. In promulgating regulations, the Board shall have due regard for generally accepted standards as recommended by nationally recognized organizations. Where appropriate, the Board shall establish separate standards for mobile amusement devices and for amusement devices permanently affixed to a site.

C. To assist the Board in the administration of this section, the Board shall appoint an Amusement Device Technical Advisory Committee, which shall be composed of five members who, by virtue of their education, training or employment, have demonstrated adequate knowledge of amusement devices or the amusement industry. The Board shall determine the terms of the Amusement Device Technical Advisory Committee members. The Amusement Device Technical Advisory Committee shall recommend standards for the construction, maintenance, operation and inspection of amusement devices, including the qualifications of amusement device operators and the certification of inspectors, and otherwise perform advisory functions as the Board may require.

D. Inspections required by this section shall be performed by persons certified by the Board pursuant to subdivision 7 of § 38-137 of the Code of Virginia as competent to inspect amusement devices. The provisions of

§ 36-105 of the Code of Virginia notwithstanding, the local governing body shall enforce the regulations promulgated by the Board for existing amusement devices. Nothing in this section shall be construed to prohibit the local governing body from authorizing inspections to be performed by persons who are not employees of the local governing body, provided those inspectors are certified by the Board as provided herein. The Board is authorized to conduct or cause to be conducted any inspection required by this section, provided that the person performing the inspection on behalf of the Board is certified by the Board as provided herein.

E. To the extent they are not superseded by the provisions of this section and the regulations promulgated hereunder, the provisions of this chapter and the Uniform Statewide Building Code shall apply to amusement devices. (1986, c. 427.)

§ 36-99. Provisions of Code. — The Building Code shall prescribe building regulations 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 regulations are properly maintained, and shall also prescribe procedures for the administration and enforcement of such regulations. The provisions thereof shall be such as to protect the health, safety and welfare of the residents of this Commonwealth, 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 regulations 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; 1982, c. 267.)

§ 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 prior to July 1, 1978, 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; 1979, c. 352; 1982, c. 314.)

§ 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.)

§ 36-99.3. Smoke detectors in colleges and universities. — College or university buildings containing dormitories for sleeping purposes shall be provided with battery or AC powered smoke detector devices installed therein in accordance with the Uniform Statewide Building Code. After January 1, 1984, all college and university dormitories shall have installed and use due diligence in maintaining in good working order such detectors regardless of when the building was constructed.

The chief administrative office of the college or university shall obtain a certificate of compliance from the building official of the locality in which the college or university is located or in the case of state-owned buildings, from the Director of the Department of General Services.

The provisions of this section shall not apply to any dormitory at a state-supported military college or university which is patrolled twenty-four hours a day by military guards. (1982, c. 357.)

§ 36-99.4. Smoke detectors in certain juvenile care facilities. — Battery or AC-powered smoke detector devices shall be installed in all local and regional detention homes, group homes, and other residential care facilities for children or juveniles which are operated by or under the auspices of the Department of Corrections, regardless of when the building was constructed, in accordance with the provision of the Uniform Statewide Building Code by July 1, 1986. Administrators of such homes and facilities shall be responsible for the installation and maintenance of the smoke detector devices. (1984, c. 179.)

§ 36-99.4. (Effective July 1, 1990) Smoke detectors in certain juvenile care facilities. — Battery or AC-powered smoke detector devices shall be installed in all local and regional detention homes, group homes, and other residential care facilities for children or juveniles which are operated by or under the auspices of the Department of Youth Services, regardless of when the building was constructed, in accordance with the provision of the Uniform Statewide Building Code by July 1, 1986. Administrators of such homes and facilities shall be responsible for the installation and maintenance of the smoke detector devices. (1984, c. 179; 1989, c. 733.)

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

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

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

A hotel or motel shall have available no fewer than one such smoke detector for each seventy units or portion thereof, except that this requirement shall not apply to any hotel or motel with fewer than thirty-five units. The proprietor of the hotel or motel shall post in a conspicuous place at the registration desk or counter a permanent sign stating the availability of smoke detectors for the hearing-impaired. Visual detectors shall be provided

for all meeting rooms for which an advance request has been made.

The proprietor or landlord may require a refundable deposit for a smoke detector, not to exceed the original cost or replacement cost, whichever is greater, of the smoke detector. Rental fees shall not be increased as compensation for this requirement.

Landlords shall notify hearing-impaired tenants of the availability of special smoke detectors; however, no landlord shall be civilly or criminally liable for failure to so notify. New tenants shall be asked, in writing, at the time of rental, whether visual smoke detectors will be needed.

Failure to comply with the provisions of this section within a reasonable time shall be punishable as a Class 3 misdemeanor.

This law shall have no effect upon existing local law or regulation which exceeds the provisions prescribed herein. (1984, c. 753; 1988, c. 183.)

§ 36-99.5:1. Smoke detectors in homes for adults. — Battery or AC-powered smoke detector devices shall be installed in all homes for adults licensed by the Department of Social Services, regardless of when the building was constructed, by January 1, 1989. The location and installation of the smoke detectors shall be determined by the Uniform Statewide Building Code.

The licensee shall obtain a certificate of compliance from the building official of the locality in which the home is located, or in the case of state-owned buildings, from the Department of General Services.

The licensee shall maintain the smoke detector devices in good working order.

This section shall not apply to homes for adults or portions of such homes, which are equipped with automatic fire detection systems or sprinkler systems. (1988, c. 55.)

§ 36-99.6. Underground storage tank inspections. — The Board of Housing Community Development is authorized to incorporate, as part of the Building Code, regulations developed by the State Water Control Board governing the installation and closure of underground storage tanks. Inspections undertaken pursuant to such regulations shall be done by employees of the local building department or another individual authorized by the local building department. (1987, c. 528.)

§ 36-99.7. Asbestos inspection in buildings to be renovated or demolished; exceptions. — A. After January 1, 1989, a local building department shall not issue a building permit allowing a building built prior to 1978 to be renovated or demolished until the local building department receives certification from the owner or his agent that the building has been inspected for asbestos in accordance with standards developed pursuant to subdivision 1 of subsection A of § 2.1-526.14:1 that response actions will be undertaken in accordance with the requirements of the Clean Air Act National Emission Standard for the Hazardous Air Pollutant (NESHAPS) (40 CFR 61, Subpart M), the management standards for asbestos-containing materials prepared by the Department of General Services in accordance with § 2.1-526.14:2, and the asbestos worker protection requirements established by the U.S. Occupational Safety and Health Administration for construction workers (29 CFR 1926.58).

B. The provisions of this section shall not apply to single-family dwellings, residential housing with four or fewer units, farm buildings, buildings with less than 3,500 square feet and buildings with no central heating system, or to public utilities required by law to give notification to the Commonwealth of

Virginia and to the United States Environmental Protection Agency prior to removing asbestos in connection with the renovation or demolition of a building.

C. The Board of Housing and Community Development may amend the standards for inspections and management for renovation and demolition of buildings subject to this section, in accordance with the requirements of the Virginia Administrative Process Act (§ 9-6.14:1 et seq.). (1987, c. 656; 1988, c. 723; 1989, c. 398.)

§ 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 1, 1973, or later than September 1, 1973; provided that the initial Building Code shall not become effective earlier than 180 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. However, the Board may adopt and promulgate as part of the Building Code, minimum building regulations for existing buildings to ensure the protection of public health, safety and welfare. 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. However, building owners may elect to install partial or full fire alarms or other safety equipment that was not required by the Building Code in effect at the time a building was constructed without meeting current Building Code requirements, provided the installation does not create a hazardous condition. Permits for installation shall be obtained in accordance with the Uniform Statewide Building Code. (1972, c. 829; 1976, c. 638; 1982, c. 267; 1986, c. 32.)

§ 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 the 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. 613.)

§ 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. Where the construction cost is less than \$1,000, however, 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 Commonwealth or by any of its political subdivisions and the equipment therein, be inspected periodically after completion to insure that the Building Code regulations 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.

The local governing body may inspect and enforce the building regulations promulgated by the Board for existing buildings. Such enforcement shall be carried out by an agency or department designated by the governing body. (1972, c. 829; 1974, c. 433; 1977, cc. 423, 613; 1978, c. 578; 1981, c. 498; 1982, c. 267.)

§ 36-105.1. 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 State Fire Marshal pursuant to the Statewide Fire Prevention Code in those localities which do not enforce the Statewide Fire Prevention Code (§ 27-94 et seq.). (1989, c. 258.)

§ 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 \$1,000. (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. Repealed by Acts 1980, c. 728.

§ 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 Building Code, Fire Prevention Code, and Industrialized Building Safety Law. — The Review Board shall have the power and duty to hear all appeals from decisions arising under application of the Building Code, the Fire Prevention Code adopted under the Statewide Fire Prevention Code Act (§ 27-94 et seq.), and the Industrialized Building Safety Law (§ 36-70 et seq.), 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 the Administrative Process Act (§ 9-6.14:1 et seq.). (1972, c. 829; 1977, c. 423; 1986, cc. 37, 429.)

§ 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 the Fire Prevention 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; 1986, c. 429.)

§ 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 under § 36-73 of the Code of Virginia. (1972, c. 829.)

§ 36-119.1. Existing buildings. — This chapter shall not supersede provisions of the Fire Prevention Code promulgated by the Board under § 27-97, that prescribe standards to be complied with in existing buildings or structures, provided that such regulations shall not impose requirements that are more restrictive than those of the Uniform Statewide Building Code under which the buildings or structures were constructed. Subsequent alteration, enlargement, repair, or conversion of the occupancy classification of such buildings and structures shall be subject to the Building Code. (1986, c. 429; 1988, c. 199.)

§ 36-137. (Effective until April 1, 1990) Powers and duties of Board. — The Board shall exercise the following powers and duties, and such others as may be provided by law:

1. Provide a means of citizen access to the Department.
2. 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.
3. Monitor the policies and activities of the Department and have the right of access to departmental information.
4. Advise the Governor and the Director on matters relating to housing and community development.
5. Make such rules and regulations as may be necessary to carry out its responsibilities and repeal or amend such rules when necessary.
6. 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 and to any other persons seeking to become qualified to perform inspections pursuant to Chapter 6 (§ 36-97 et seq.) of this title and any regulations adopted thereunder, who have completed training programs or in other ways demonstrated adequate knowledge.
7. Establish general policies, procedures, and programs for the Virginia Housing Partnership Revolving Fund established in Chapter 9 (§ 36-141 et seq.) of this title.
8. Determine the categories of housing programs, housing sponsors and persons and families of low and moderate income eligible to participate in grant or loan programs of the Virginia Housing Partnership Revolving Fund and designate the proportion of such grants or loans to be made available in each category.
9. Advise the Director of the Department on the program guidelines required to accomplish the policies and procedures of the Virginia Housing Partnership Revolving Fund.
10. Advise the Virginia Housing Development Authority on matters relating to the administration and management of loans and grants from the Virginia Housing Partnership Revolving Fund. (1977, c. 613; 1978, c. 751; 1980, c. 107; 1981, c. 309; 1984, c. 720; 1986, c. 427; 1988, c. 687.)

§ 36-137. (Effective April 1, 1990) Powers and duties of Board. — The Board shall exercise the following powers and duties, and such others as may be provided by law:

1. Provide a means of citizen access to the Department.
2. 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.
3. Monitor the policies and activities of the Department and have the right of access to departmental information.
4. Advise the Governor and the Director on matters relating to housing and community development.
5. Make such rules and regulations as may be necessary to carry out its responsibilities and repeal or amend such rules when necessary.
6. 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 and to any other persons seeking to become qualified to perform inspections pursuant to

Chapter 6 (§ 36-97 et seq.) of this title and any regulations adopted thereunder, who have completed training programs or in other ways demonstrated adequate knowledge.

7. Levy by regulation up to one percent of building permit fees authorized pursuant to § 36-106 to support training programs of the Building Code Academy established pursuant to § 36-139. Local building departments shall collect such levy and transmit it quarterly to the Department of Housing and Community Development. Localities which maintain, individual or regional, training academies accredited by the Department of Housing and Community Development shall retain such levy. However, such localities may send employees to training programs of the Building Code Academy upon payment of a fee calculated to cover the cost of such training. Any unspent balance shall be reappropriated each year for the continued operation of the Building Code Academy. Annual collections of such levy in excess of \$500,000 or any unobligated fund balance greater than one-third of that year's collections shall be credited against the levy to be collected in the next fiscal year.

8. Establish general policies, procedures, and programs for the Virginia Housing Partnership Revolving Fund established in Chapter 9 (§ 36-141 et seq.) of this title.

9. Determine the categories of housing programs, housing sponsors and persons and families of low and moderate income eligible to participate in grant or loan programs of the Virginia Housing Partnership Revolving Fund and designate the proportion of such grants or loans to be made available in each category.

10. Advise the Director of the Department on the program guidelines required to accomplish the policies and procedures of the Virginia Housing Partnership Revolving Fund.

11. Advise the Virginia Housing Development Authority on matters relating to the administration and management of loans and grants from the Virginia Housing Partnership Revolving Fund. (1977, c. 613; 1978, c. 751; 1980, c. 107; 1981, c. 309; 1984, c. 720; 1986, c. 427; 1988, c. 687; 1989, c. 279.)

§ 36-139. (Effective until April 1, 1990) Powers and duties of Director. — The Director of the Department of Housing and Community Development shall have the following responsibilities:

1. 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 he may deem necessary.

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

3. 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.

4. 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.

5. 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.

6. 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.

7. Determining present and future housing requirements of the Commonwealth 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.

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

9. 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.

10. Administering the provisions of the Industrialized Building Safety Law (§ 36-70 et seq.).

11. Administering the provisions of the Uniform Statewide Building Code (§ 36-97 et seq.).

12. Administering the provisions of the Statewide Fire Prevention Code (§ 27-94 et seq.).

13. Establishing and operating a voluntary training program for (i) the instruction of the personnel of local building departments concerning the content, application and intent of the Uniform Statewide Building Code and (ii) any persons seeking to become qualified to perform amusement device inspections pursuant to Chapter 6 (§ 36-97 et seq.) of this title and any regulations adopted thereunder.

14. Administering, in conjunction with the federal government, and promulgating any necessary regulations regarding energy standards for existing buildings as may be required pursuant to federal law.

15. Identifying and disseminating information to local governments about the availability and utilization of federal and state resources.

16. Administering, with the cooperation of the Department of Health, state assistance programs for public water supply systems.

17. Advising the Board on matters relating to policies and programs of the Virginia Housing Partnership Revolving Fund.

18. Designing and establishing program guidelines to meet the purposes of the Virginia Housing Partnership Revolving Fund and to carry out the policies and procedures established by the Board.

19. Preparing agreements and documents for loans and grants to be made from the Virginia Housing Partnership Revolving Fund; soliciting, receiving, reviewing and selecting the applications for which loans and grants are to be made from such Fund; directing the Virginia Housing Development Authority as to the closing and disbursing of such loans and grants and as to the servicing and collection of such loans; directing the Virginia Housing Development Authority as to the regulation and monitoring of the ownership, occupancy and operation of the housing developments and residential housing financed or assisted by such loans and grants; and providing direction and guidance to the Virginia Housing Development Authority as to the investment of moneys in such Fund.

20. Carrying out such other duties as may be necessary and convenient to the exercise of powers granted to the Department. (1977, c. 613; 1978, cc. 737, 751; 1981, cc. 309, 315; 1982, c. 36; 1986, c. 427; 1988, c. 687; 1989, c. 258.)

§ 36-139. (Effective April 1, 1990) Powers and duties of Director. — The Director of the Department of Housing and Community Development shall have the following responsibilities:

1. 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 he may deem necessary.

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

3. 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.

4. 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.

5. 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.

6. 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.

7. Determining present and future housing requirements of the Commonwealth 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.

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

9. 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.

10. Administering the provisions of the Industrialized Building Safety Law (§ 36-70 et seq.).

11. Administering the provisions of the Uniform Statewide Building Code (§ 36-97 et seq.).

12. Administering the provisions of the Statewide Fire Prevention Code (§ 27-94 et seq.).

13. Establishing and operating a Building Code Academy for the training of personnel in building regulations promulgated by the Board of Housing and Community Development.

14. Administering, in conjunction with the federal government, and promulgating any necessary regulations regarding energy standards for existing buildings as may be required pursuant to federal law.

15. Identifying and disseminating information to local governments about the availability and utilization of federal and state resources.

16. Administering, with the cooperation of the Department of Health, state assistance programs for public water supply systems.

17. Advising the Board on matters relating to policies and programs of the Virginia Housing Partnership Revolving Fund.

18. Designing and establishing program guidelines to meet the purposes of the Virginia Housing Partnership Revolving Fund and to carry out the policies and procedures established by the Board.

19. Preparing agreements and documents for loans and grants to be made from the Virginia Housing Partnership Revolving Fund; soliciting, receiving, reviewing and selecting the applications for which loans and grants are to be made from such Fund; directing the Virginia Housing Development Authority as to the closing and disbursing of such loans and grants and as to the servicing and collection of such loans; directing the Virginia Housing Development Authority as to the regulation and monitoring of the ownership, occupancy and operation of the housing developments and residential housing financed or assisted by such loans and grants; and providing direction and guidance to the Virginia Housing Development Authority as to the investment of moneys in such Fund.

20. Carrying out such other duties as may be necessary and convenient to the exercise of powers granted to the Department. (1977, c. 613; 1978, cc. 737, 751; 1981, cc. 309, 315; 1982, c. 36; 1986, c. 427; 1988, c. 687; 1989, cc. 258, 279.)

§ 2.1-343. Meetings to be public; notice of meetings; recordings; minutes; voting. — Except as otherwise specifically provided by law and except as provided in §§ 2.1-344 and 2.1-345, all meetings shall be public meetings, including meetings and work sessions during which no votes are cast or any decisions made. Notice including the time, date and place of each meeting shall be furnished to any citizen of this Commonwealth who requests such information. Requests to be notified on a continual basis shall be made at least once a year in writing and include name, address, zip code and organization of the requestor. Notice, reasonable under the circumstance, of special or emergency meetings shall be given contemporaneously with the notice provided members of the public body conducting the meeting.

Any person may photograph, film, record or otherwise reproduce any portion of a meeting required to be open. The public body conducting the meeting may adopt rules governing the placement and use of equipment necessary for broadcasting, photographing, filming or recording a meeting to prevent interference with the proceedings.

Voting by secret or written ballot in an open meeting shall be a violation of this chapter.

Minutes shall be recorded at all public meetings. However, minutes shall not be required to be taken at deliberations of (i) standing and other committees of the General Assembly, (ii) legislative interim study commissions and committees, including the Virginia Code Commission, (iii) study committees or commissions appointed by the Governor, or (iv) study commissions or study committees, or any other committees or subcommittees appointed by the governing bodies or school boards of counties, cities and

towns, except where the membership of any such commission, committee or subcommittee includes a majority of the governing body of the county, city or town or school board. (1968, c. 479; 1973, c. 461; 1976, c. 467; 1977, c. 677; 1982, c. 333; 1989, c. 358.)

§ 2.1-526.11:1. **Loss prevention.** — The Division of Risk Management may develop and implement risk management and loss prevention programs related to insurance plans established pursuant to the provisions of this article. The Division may confer with the proper officials or employees of all agencies and institutions of the Commonwealth and of participating entities and persons pursuant to § 2.1-526.8:1, for the purpose of determining risk management and loss prevention programs which shall be carried on with respect to properties and governmental operations under their control and may determine the manner in which such programs may be developed, implemented and enforced. The Division may seek the assistance of risk management consulting companies, insurance companies, loss prevention engineering companies, and their representatives, the Fire Marshal of the Commonwealth, the Division of Engineering and Buildings and the State Insurance Advisory Board in devising means by which causes of loss may be reduced or eliminated. The Division shall have the final responsibility with respect to implementation or nonimplementation of a plan or plans by an agency or institution of the Commonwealth and by a participating entity or person pursuant to § 2.1-526.8:1. Information contained in investigative reports of any state or local police department, sheriff's office, fire department or fire marshal relevant to insurance plans established pursuant to the provisions of this article shall be made available to the Division of Risk Management upon request. The relevant information requested shall be furnished within a reasonable time, not to exceed thirty days. (1988, c. 848.)

§ 2.1-526.12. **Definitions.** — As used in this article:

"Asbestos" means any material containing more than one percent of the asbestiform varieties of:

1. chrysotile (serpentine),
2. crocidolite (riebeckite),
3. amosite (cummingtonite-grunerite),
4. anthophyllite,
5. tremolite, or
6. actinolite.

"Director" means the Director of the Department of General Services.

"Friable" means material which is capable of being crumbled, pulverized or reduced to powder by hand pressure or which under normal use or maintenance emits or can be expected to emit asbestos fibers into the air.

"Operations and maintenance program" means work practices to maintain asbestos-containing material in good condition and to minimize and control disturbance or damage to such materials.

"Response actions" means any action, including removal, encapsulation, enclosure, repair, method of operation, maintenance, record keeping or notification that protects human health from building materials containing asbestos.

"Secretary" means the Secretary of Administration. (1986, cc. 288, 560; 1988, c. 723; 1989, c. 398.)

§ 2.1-526.14. **Standards for inspection of buildings for asbestos.** — The Director, at the direction of the Secretary and in cooperation with any other appropriate agencies including, but not limited to, the Department of Education shall promulgate standards for the inspection of buildings of all

types and the ancillary facilities used in connection therewith for the purpose of identifying the presence of asbestos and to the extent practicable the relative hazard to health or safety posed by any asbestos identified.

Prior to the adoption of standards for buildings other than public school buildings, the Director shall adopt procedures providing for written public comment on such standards and for the consideration of such comment by the Department of General Services. The Administrative Process Act (§ 9-6.14:1 et seq.) shall not apply to the promulgation of standards under this section. (1985, c. 534; 1986, cc. 288, 560; 1988, c. 723.)

§ 2.1-526.14:1. Inspection standards for identifying asbestos. — A. The Director, in cooperation with the Commissioner of Health and the Commissioner of Labor and Industry, shall promulgate standards for inspection of buildings other than state-owned buildings and local educational agencies as defined by 40 CFR Part 763 for the purpose of identifying the presence of asbestos and to the extent practicable the relative hazard to health or safety posed by any asbestos identified. The standards shall include:

1. Inspection of such location for the presence, location and condition of asbestos-containing materials;

2. Development of a building asbestos profile for each building inspected and found to contain asbestos-containing material which profile shall:

(a) Include information regarding product type (surfacing material, thermal system insulation, or miscellaneous material), specific location, estimated quantity (in square or linear feet), type and percentage of asbestos content, and physical condition;

(b) Be kept in possession of the person designated pursuant to subsection B of § 2.1-526.14:2, at a location in the building where it is readily accessible to building employees or their designated representatives;

(c) Be updated as surveillance, test results and/or response actions are undertaken in the building.

B. Asbestos inspection standards promulgated by the Director in accordance with Chapter 23 of the 1988 Acts of Assembly shall be deemed to comply with the foregoing requirements. Amendments to those standards shall be the responsibility of the respective agencies administering the standards under §§ 32.1-126.1, 36-99.7 and 55-79.94 of the Code and shall be promulgated pursuant to the procedures established by the Virginia Administrative Process Act (§ 9-6.14:1 et seq.).

C. The following standards are hereby established for buildings subject to the requirements of §§ 32.1-126.1, 36-99.7 and 55-79.94 of the Code:

1. When air monitoring is used for building assessment, it must be used in conjunction with comprehensive visual assessment techniques for determining the priority and nature of response action.

2. The airborne asbestos reoccupancy level, to be measured upon completion of response actions, shall be equal to the reoccupancy standards established for buildings pursuant to 40 CFR Part 763 and subsequent amendments thereto. (1989, c. 398.)

§ 2.1-526.14:2. Asbestos management plans. — A. Asbestos management plans for buildings subject to the requirements of §§ 32.1-126.1, 36-99.7 and 55-79.94 shall be consistent with management standards promulgated by the Director, which shall include:

1. Operation and maintenance programs, including procedures for the notification of maintenance and housekeeping personnel of the location of

asbestos-containing materials likely to be disturbed during routine building operations; the labeling of asbestos-containing materials in routine maintenance areas; and work practices, engineering controls or personal protective measures to minimize asbestos exposure to such personnel and other building occupants:

2. Training requirements for maintenance workers and maintenance supervisory personnel;

3. Assurance of compliance by contractors with licensing under all relevant state statutes and regulations; and

4. Provisions for setting priorities of buildings for response actions.

B. Each person responsible for such management plans shall designate one member of the maintenance personnel in or responsible for each building containing asbestos-containing materials to serve as the liaison to coordinate the specific efforts of such program within the particular building to which the liaison is assigned.

C. Standards promulgated by the Director in accordance with Chapter 23 of the 1988 Acts of Assembly shall be deemed to comply with the foregoing requirements. Amendments to those standards shall be the responsibility of the administering agency under §§ 32.1-126.1, 36-99.7 and 55-79.94, and shall be promulgated in accordance with the requirements of the Virginia Administrative Process Act (§ 9-6.14:1 et seq.). (1989, c. 398.)

§ 9-6.14:1. Short title. — This chapter may be cited as the "Administrative Process Act." (1975, c. 503.)

§ 9-6.14:4. Definitions. — As used in this chapter:

A. "Agency" means any authority, instrumentality, officer, board or other unit of the state government empowered by the basic laws to make regulations or decide cases.

B. "Agency action" means either an agency's regulation or case decision or both, any violation, compliance, or noncompliance with which could be a basis for the imposition of injunctive orders, penal or civil sanctions of any kind, or the grant or denial of relief or of a license, right, or benefit by any agency or court.

C. "Basic law" or "basic laws" means provisions of the Constitution and statutes of the Commonwealth of Virginia authorizing an agency to make regulations or decide cases or containing procedural requirements therefor.

D. "Case" or "case decision" means any agency proceeding or determination that, under laws or regulations at the time, a named party as a matter of past or present fact, or of threatened or contemplated private action, either is, is not, or may or may not be (i) in violation of such law or regulation or (ii) in compliance with any existing requirement for obtaining or retaining a license or other right or benefit.

E. "Hearing" means agency processes other than those informational or factual inquiries of an informal nature provided in §§ 9-6.14:7.1 and 9-6.14:11 of this chapter and includes only (i) opportunity for private parties to submit factual proofs in formal proceedings as provided in § 9-6.14:8 of this chapter in connection with the making of regulations or (ii) a similar right of private parties or requirement of public agencies as provided in § 9-6.14:12 hereof in connection with case decisions.

F. "Rule" or "regulation" means any statement of general application, having the force of law, affecting the rights or conduct of any person, promulgated by an agency in accordance with the authority conferred on it by applicable basic laws.

G. "Subordinate" means (i) one or more but less than a quorum of the members of a board constituting an agency, (ii) one or more of its staff members or employees, or (iii) any other person or persons designated by the agency to act in its behalf.

H. (Repealed.) (1975, c. 503; 1977, cc. 377, 381; 1979, c. 613; 1984, c. 187; 1985, cc. 67, 602.)

§ 9-6.14:7.1. **Public participation; informational proceedings; effect of noncompliance.** — A. Public participation guidelines for soliciting the input of interested parties in the formation and development of its regulations shall be developed, adopted and utilized by each agency pursuant to the provisions of this chapter. Such guidelines shall not only be utilized prior to the formation and drafting of the proposed regulation, but shall also be utilized during the entire formation, promulgation and final adoption process of a regulation. The guidelines shall set out methods for the identification and notification of interested parties, specific means of seeking input from interested persons or groups and, whenever appropriate, may provide for the use of standing or ad hoc advisory panels and consultation with groups and individuals registering interest in working with the agency.

B. In formulating any regulation, including but not limited to those in public assistance programs, the agency pursuant to its public participation guidelines shall afford interested persons an opportunity to submit data, views, and arguments, either orally or in writing, to the agency or its specially designated subordinate.

C. In the case of regulations for which the basic law requires a hearing, or for which the agency elects to hold a hearing, the proposed regulation and general notice of opportunity for oral or written submittals as to that regulation shall be published in the Virginia Register of Regulations in accordance with the provisions of subsection B of § 9-6.14:22 and such notice shall be published in a newspaper of general circulation published at the state capital and, in addition, as the agency may determine, it may be similarly published in newspapers in localities particularly affected, as well as publicized through press releases and such other media as will best serve the purpose and subject involved. The Register and newspaper publication shall be made at least sixty days in advance of the last date prescribed in the notice for such submittals. All notices, written submittals, and transcripts, summaries or notations of oral presentations, as well as any agency action thereon, shall be matters of public record in the custody of the agency.

The Registrar shall develop the format for the proper advertisement of proposed regulations in newspapers. The Registrar shall also be responsible for the publication of the newspaper advertising pertaining to proposed regulations. As used in this chapter "Registrar" means the Registrar of Regulations appointed as provided in § 9-6.17.

Before promulgating any regulation under consideration, the agency shall deliver a copy of that regulation to the Registrar together with a summary and separate and concise statement of the basis, purpose, substance, issues and the estimated impact of that regulation with respect to the number of persons affected and the projected costs for the implementation and compliance thereof. The summary and the statement of the basis, purpose, substance, issues and estimated impact shall be published in the Virginia Register of Regulations, together with the notice of hearing required above. However, only the summary shall be printed in the newspapers unless the agency requests publication of the statement of basis, purpose, substance,

issues and estimated impact.

D. When an agency formulating regulations in public assistance programs cannot comply with the public comment requirements of subsection C of this section due to time limitations imposed by state or federal laws or regulations for the adoption of such regulation, the Secretary of Health and Human Resources may shorten the time requirements of subsection C. If, in the Secretary's sole discretion, such time limitations reasonably preclude any advance published notice, he may waive the requirements of subsection C. However, the agency shall, as soon as practicable after the adoption of the regulation in a manner consistent with the requirements of subsection C, publish notice of the promulgation of the regulation and afford an opportunity for public comment. The precise factual basis for the Secretary's determination shall be stated in the published notice.

E. For the purpose of this article, public assistance programs shall consist of those specified in § 63.1-87 of the Code.

F. In no event shall the failure to comply with the requirements of subsection C of this section be deemed mere harmless error for the purposes of § 9-6.14:17.

G. This section shall not apply to the issuance by the State Air Pollution Control Board of variances to its regulations. (1984, c. 5; 1985, c. 602; 1989, c. 71.)

§ 9-6.14:8. Evidential hearings. — Where an agency proposes to consider the exercise of authority to promulgate a regulation, it may conduct or give interested persons an opportunity to participate in a public evidential proceeding; and the agency shall always do so where the basic law requires a hearing. Such evidential hearings may be limited to the trial of factual issues directly relevant to the legal validity of the proposed regulation in any of the relevant respects outlined in § 9-6.14:17 of this chapter.

General notice of such proceedings shall be published as prescribed in § 9-6.14:7.1. In addition, where the proposed regulation is to be addressed to named persons, the latter shall also be given the same notice individually by mail or otherwise if acknowledged in writing. The proceedings may be conducted separately from, and in any event the record thereof shall be separate from, any other or additional proceedings the agency may choose or be required to conduct for the reception of general data, views, and argument pursuant to § 9-6.14:7.1 or otherwise. Any probative evidence may be received except that the agency shall as a matter of efficiency exclude irrelevant, immaterial, insubstantial, privileged, or repetitive proofs, and may in its discretion deny rebuttal, or cross-examination. Testimony may be admitted in written form provided those who have prepared it are made available for examination in person. There shall preside at the taking of such evidence the agency or one or more of its subordinates specially designated for the purpose, who may administer oaths and affirmations. The proceedings shall be recorded verbatim and the record thereof shall be made available to interested persons for transcription at their expense or, if transcribed by or for the agency, for inspection or purchase at cost.

Where subordinates preside at the reception of the evidence, they shall make a report with recommendations and proposed findings and conclusions which shall be made available upon request to the participants in the taking of evidence as well as other interested persons and serve as a basis for exceptions, briefs, or oral argument to the agency itself. Whether or not subordinates take the evidence, after opportunity for the submittal of briefs on request and such oral argument as may be scheduled in its discretion, the

agency may settle the terms of the regulation and shall promulgate it only upon (i) its findings of fact based upon the record of evidence made pursuant to this section and facts of which judicial notice may be taken, (ii) statements of basis and purpose as well as comment upon data received in any informational proceedings held under § 9-6.14:7.1 and (iii) the conclusion or conclusions required by the terms of the basic law under which the agency is operating. (1975, c. 503; 1985, c. 602.)

§ 9-6.14:9. Adoption; effective date; filing; emergency regulations; duties of Registrar of Regulations. — A. Subject to the provisions of §§ 9-6.14:9.1 and 9-6.14:9.2, all regulations, including those as to which agencies pursuant to § 9-6.14:4.1 may elect to dispense with the public procedures provided by §§ 9-6.14:7.1 and 9-6.14:8, may be formally and finally adopted by the signed order of the agency so stating. No regulation except an emergency regulation shall be effective until the expiration of the applicable period as provided in § 9-6.14:9.3. In the case of an emergency regulation filed in accordance with subdivision C 5 of § 9-6.14:4.1, the regulation shall become operative upon its adoption and filing with the Registrar of Regulations, unless a later date is specified. The originals of all regulations shall remain in the custody of the agency as public records subject to judicial notice by all courts and agencies. They, or facsimiles thereof, shall be made available by the agency for public inspection or copying. Full and true copies shall also be additionally filed, registered, published, or otherwise made publicly available as may be required by other laws.

Emergency regulations shall be published as soon as practicable in the Register.

B. Prior to the publication for hearing of a proposed regulation, copies of the regulation and copies of the summary and statement as to the basis, purpose, substance, issues and impact of the regulation and the agency's comments thereon as required by § 9-6.14:7.1 shall be transmitted to the Registrar of Regulations, who shall retain these documents.

C. All regulations adopted pursuant to this chapter shall contain a citation to the section of the Code of Virginia that authorizes or requires such regulations and, where such regulations must conform to federal law or regulation in order to be valid, a citation to the specific federal law or regulation to which conformity is required.

D. Immediately upon the adoption by any agency of any regulation in final form, a copy of (i) the regulation, (ii) a then current summary and statement as to the basis, purpose, substance, issues, and impact of the regulation, and (iii) the agency's summary description of the nature of the oral and written data, views, or arguments presented during the public proceedings and the agency's comments thereon shall be transmitted to the Registrar of Regulations, who shall retain these documents as permanent records. (1975, c. 503; 1977, cc. 450, 459; 1981, c. 387; 1982, c. 425; 1983, c. 295; 1984, c. 5; 1989, c. 71.)

§ 9-6.14:9.1. Executive review of proposed regulations; substantial changes. — A. The Governor shall adopt procedures by executive order for review of all proposed regulations governed by this chapter. The procedures shall include (i) review by the Attorney General to ensure statutory authority for the proposed regulations; (ii) examination by the Governor to determine if the proposed regulations are necessary to protect the public health, safety and welfare; and (iii) examination by the Governor to determine if the proposed regulations are clearly written and easily understandable. The procedures may also include review of the proposed regulation by the appropriate Cabinet Secretary.

The Governor's review of a proposed regulation shall begin upon the publication of that proposed regulation in the Register. The Governor shall transmit his comments on that proposed regulation to the Registrar and the agency prior to the completion of the public comment period provided for in § 9-6.14:7.1. The Governor may recommend amendments or modifications to any regulation which would bring that regulation into conformity with statutory authority or state or federal laws, regulations or judicial decisions.

Upon receipt of the Governor's comments on the proposed regulation, the agency (i) may adopt the proposed regulation if the Governor has no objection to the regulation; (ii) may modify and adopt the proposed regulation after considering and incorporating the Governor's objections or suggestions; or (iii) may adopt the regulation without changes despite the Governor's recommendations for change.

B. Upon final adoption of the regulation, the agency shall forward a copy of the regulation to the Registrar of Regulations for publication as soon as practicable in the Register. Substantial changes to the proposed regulation shall be highlighted and explained in the final regulation.

C. If the Governor finds that changes made to the proposed regulation are substantial, he may suspend the regulatory process for thirty days to require the promulgating agency to solicit additional public comment on the substantial changes. An additional public comment period shall not be required if the Governor determines that the substantial changes were made in response to public comment.

D. A thirty-day final adoption period for regulations shall commence upon the publication of the final regulation in the Register. The Governor shall review the final regulation during this thirty-day final adoption period and if he objects to any portion or all of a regulation he shall forward his objections to the Registrar and agency prior to the conclusion of the thirty-day final adoption period. The Governor shall be deemed to have acquiesced in a promulgated regulation if he fails to object to it during the thirty-day final adoption period. The Governor's objection shall be published in the Register.

A regulation shall become effective as provided in § 9-6.14:9.3.

E. This section shall not apply to the issuance by the State Air Pollution Control Board of variances to its regulations. (1984, c. 5.)

§ 9-6.14:9.2. Legislative review of proposed regulation. — After the legislative members have received copies of the Register pursuant to § 9-6.14:24, the standing committee of each house of the General Assembly to which matters relating to the content of the regulation are most properly referable may meet and, during the promulgation or final adoption process, file with the Registrar and the promulgating agency an objection to a proposed or final adopted regulation. The Registrar shall publish any such objection received by him as soon as practicable in the Register. Within twenty-one days after the receipt by the promulgating agency of a legislative objection, that agency shall file a response with the Registrar, the objecting legislative committee and the Governor. If a legislative objection is filed within the final adoption period, paragraph 1 of § 9-6.14:9.3 shall govern.

A regulation shall become effective as provided in § 9-6.14:9.3.

This section shall not apply to the issuance by the State Air Pollution Control Board of variances to its regulations. (1984, c. 5.)

§ 9-6.14:9.3. Effective date of regulation. — A regulation adopted in accordance with the Administrative Process Act (§ 9-6.14:1 et seq.) and the Virginia Register Act (§ 9-6.15 et seq.), shall become effective at the

conclusion of the thirty-day final adoption period provided for in subsection D of § 9-6.14.9.1, or any other later date specified by the promulgating agency, unless:

1. A legislative objection has been filed in accordance with § 9-6.14.9.2, in which event the regulation, unless withdrawn by the promulgating agency, shall become effective on a date specified by the promulgating agency which shall be after the expiration of the applicable twenty-one-day extension period provided for in § 9-6.14.9.2; or

2. The Governor has exercised his authority in accordance with § 9-6.14.9.1 to suspend the regulatory process for solicitation of additional public comment on substantial changes to the proposed regulation, in which event the regulation, unless withdrawn by the promulgating agency, shall become effective on a date specified by the promulgating agency which shall be after the period for which the Governor has suspended the regulatory process.

This section shall not apply to the issuance by the State Air Pollution Control Board of variances to its regulations. (1984, c. 5.)

§ 9-6.14.11. Informal fact finding. — A. Save to the extent that case decisions are made as provided by § 9-6.14.12, agencies shall, unless the parties consent, ascertain the fact basis for their decisions of cases through informal conference or consultation proceedings. Such conference-consultation procedures include rights of parties to the case (i) to have reasonable notice thereof, (ii) to appear in person or by counsel or other qualified representative before the agency or its subordinates, or before a hearing officer as provided by subsection A of § 9-6.14.14.1, for the informal presentation of factual data, argument, or proof in connection with any case, (iii) to have notice of any contrary fact basis or information in the possession of the agency which can be relied upon in making an adverse decision, (iv) to receive a prompt decision of any application for a license, benefit, or renewal thereof, and (v) to be informed, briefly and generally in writing, of the factual or procedural basis for an adverse decision in any case.

B. Agencies may, in their case decisions, rely upon public data, documents or information only when the agencies have provided all parties with advance notice of an intent to consider such public data, documents or information. This requirement shall not apply to an agency's reliance on case law and administrative precedent. (1975, c. 503; 1986, c. 615; 1989, c. 601.)

§ 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. In a prosecution for violation of laws governing the placement of children for adoption without a license pursuant to § 63.1-196, no action shall be commenced after the expiration of one year from the date of the filing of the petition for adoption. 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 (§ 60.2-100 et seq.) shall be commenced within three years next after the commission of the offense. A prosecution for any violation of §§ 10.1-1320, 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. Prosecution of any violation of §§ 55-79.87, 55-79.88, 55-79.89, 55-79.90, 55-79.93, 55-79.94, 55-79.96, 55-79.103, or any rule adopted under or order issued pursuant to § 55-79.98, shall commence within three years next after the commission of the offense. Prosecution of illegal sales or purchases of wild birds, wild animals and freshwater fish under § 29.1-553 shall commence within three years after 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 Commonwealth 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 1950, § 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; 1981, c. 31; 1984, c. 601; 1987, c. 488.)

§ 54.1-401. Exemptions. — The following shall be exempted from the provisions of this chapter:

1. Practice of professional engineering and land surveying by a licensed architect when such practice is incidental to what may be properly considered an architectural undertaking.
2. Practice of architecture and land surveying by a licensed professional engineer when such practice is incidental to an engineering project.
3. Practice as a professional engineer, architect, land surveyor or certified landscape architect in this Commonwealth by any person not a resident of and having no established place of business in this Commonwealth, or by any person resident in this Commonwealth whose arrival is recent, provided that such person is legally qualified for such professional service in another state or country and files within fifteen days after commencement of such practice an application, with the required fee, for licensure as a professional engineer, architect or land surveyor or certification as a landscape architect. The exemption shall continue until the Board has had sufficient time to consider the application and grant or deny licensure or certification.
4. Engaging in the practice of professional engineering as an employee under a licensed professional engineer, engaging in the practice of architecture as an employee under a licensed architect, or engaging in the practice of land surveying as an employee under a licensed land surveyor; provided, that such practice shall not include responsible charge of design or supervision.
5. Practice of professional engineering, architecture or land surveying solely as an employee of the United States. However, the employee shall not be exempt from other provisions of this chapter if he furnishes advisory service for compensation to the public in connection with engineering, architectural or land surveying matters.
6. Practice of professional engineering, architecture or land surveying as a regular full-time, salaried employee of this Commonwealth or any political subdivision thereof; provided that such person does not furnish advisory service for compensation to the public or as an independent contracting party

in this Commonwealth or any political subdivision thereof in connection with engineering, architectural or land surveying matters.

7. Practice of architecture or professional engineering by an individual, firm or corporation on property owned or leased by such individual, firm or corporation, unless the public health or safety is involved.

8. Practice of engineering solely as an employee of a corporation engaged in interstate commerce, or as an employee of a public service corporation, by rendering such corporation engineering service in connection with its facilities which are subject to regulation by the State Corporation Commission; provided, that corporation employees who furnish advisory service to the public in connection with engineering matters other than in connection with such employment shall not be exempt from the provisions of this chapter. (Code 1960, § 54-37; 1968, c. 77; 1980, c. 757; 1988, c. 765.)

§ 54.1-402. Further exemptions from license requirements for architects and professional engineers. — A. No license as an architect or professional engineer shall be required pursuant to § 54.1-406 for persons who prepare plans, specifications, documents and designs for the following, provided any such plans, specifications, documents or designs bear the name and address of the author and his occupation:

1. Single- and two-family homes, townhouses and multi-family dwellings, excluding electrical and mechanical systems, not exceeding three stories; or
2. All farm structures used primarily in the production, handling or storage of agricultural products or implements, including, but not limited to, structures used for the handling, processing, housing or storage of crops, feeds, supplies, equipment, animals or poultry; or
3. Buildings and structures classified with respect to use as business (Use Group B) and mercantile (Use Group M), as provided in the Uniform Statewide Building Code and churches with an occupant load of 100 or less, excluding electrical and mechanical systems, where such building or structure does not exceed 5,000 square feet in total net floor area, or three stories; or
4. Buildings and structures classified with respect to use as factory and industrial (Use Group F) and storage (Use Group S) as provided in the Uniform Statewide Building Code, excluding electrical and mechanical systems, where such building or structure does not exceed 15,000 square feet in total net floor area, or three stories; or
5. Additions, remodeling or interior design without a change in occupancy or occupancy load and without modification to the structural system or a change in access or exit patterns or increase in fire hazard; or
6. Electric installations which comply with all applicable codes and which do not exceed 600 volts and 800 amps, where work is designed and performed under the direct supervision of a person licensed as a master's level electrician or Class A electrical contractor by written examination, and where such installation is not contained in any structure exceeding three stories or located in any of the following categories:
 - a. Use Group A-1 theaters which exceed assembly of 100 persons;
 - b. Use Group A-4 except churches;
 - c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems; or
7. Plumbing and mechanical systems using packaged mechanical equipment, such as equipment of catalogued standard design which has been coordinated and tested by the manufacturer, which comply with all applicable

codes. These mechanical systems shall not exceed gauge pressures of 125 pounds per square inch, other than refrigeration, or temperatures other than flue gas of 300° F (150° C) where such work is designed and performed under the direct supervision of a person licensed as a master's level plumber, master's level heating, air conditioning and ventilating worker, or Class A contractor in those specialties by written examination. In addition, such installation may not be contained in any structure exceeding three stories or located in any structure which is defined as to its use in any of the following categories:

- a. Use Group A-1 theaters which exceed assembly of 100 persons;
 - b. Use Group A-4 except churches;
 - c. Use Group I, institutional buildings, except day care nurseries and clinics without life-support systems; or
8. The preparation of shop drawings, field drawings and specifications for components by a contractor who will supervise the installation and where the shop drawings and specifications (i) will be reviewed by the licensed professional engineer or architect responsible for the project or (ii) are otherwise exempted; or
9. Buildings, structures, or electrical and mechanical installations which are not otherwise exempted but which are of standard design, provided they bear the certification of a professional engineer or architect registered or licensed in another state, and provided that the design is adapted for the specific location and for conformity with local codes, ordinances and regulations, and is so certified by a professional engineer or architect licensed in Virginia.

B. No person shall be exempt from licensure as an architect or engineer who engages in the preparation of plans, specifications, documents or designs for:

1. Any unique design of structural elements for floors, walls, roofs or foundations; or
2. Any building or structure classified with respect to its use as high hazard (Use Group H).

C. Terms used in this section, and not otherwise defined in this chapter, shall have the meanings provided in the Uniform Statewide Building Code in effect on July 1, 1982, including any subsequent amendments. (1982, c. 590, § 54-37.1; 1988, cc. 294, 765.)

§ 62.1-44.34:8. **Definitions.** — The following terms as used in this article shall have the meanings ascribed to them:

"Operator" means any person in control of, or having responsibility for, the daily operation of the underground storage tank.

"Owner" means:

1. In the case of an underground storage tank in use or brought into use on or after November 8, 1984, any person who owns an underground storage tank for the storage, use, or dispensing of regulated substances; and
2. In the case of an underground storage tank in use before November 8, 1984, but no longer in use after that date, any person who owned such tank immediately before the discontinuation of its use.

"Person" means an individual, trust, firm, joint stock company, corporation, including a government corporation, partnership, association, any state or agency thereof, municipality, county, town, commission, political subdivision of a state, any interstate body, consortium, joint venture, commercial entity, the government of the United States or any unit or agency thereof.

Regulated substance means an element, compound, mixture, solution, or substance that, when released into the environment, may present substantial danger to the public health or welfare, or the environment. The term "regulated substance" includes:

1. Any substance defined in § 101(14) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, but not any substance regulated as a hazardous waste under Subtitle C of the Resource Conservation and Recovery Act of 1976; or

2. Petroleum, including crude oil or any fraction thereof, which is liquid at standard conditions of temperature and pressure (sixty degrees Fahrenheit and 14.7 pounds per square inch absolute).

Release means any spilling, leaking, emitting, discharging, escaping, leaching, or disposing from an underground storage tank into groundwater, surface water, or subsurface soils.

Underground storage tank means any one or combination of tanks, including connecting pipes, used to contain an accumulation of regulated substances, and the volume of which, including the volume of the underground connecting pipes, is ten percent or more beneath the surface of the ground. Exemptions from this definition and regulations promulgated under this article include:

1. Farm or residential tanks having a capacity of 1,100 gallons or less and used for storing motor fuel for noncommercial purposes;

2. Tanks used for storing heating oil for consumption on the premises where stored, except for tanks having a capacity of more than 5,000 gallons and used for storing heating oil;

3. Septic tanks;

4. Pipeline facilities, including gathering lines, regulated under: (i) the Natural Gas Pipeline Safety Act of 1968, (ii) the Hazardous Liquid Pipeline Safety Act of 1979, or (iii) any intrastate pipeline facility regulated under state laws comparable to the provisions of law in (i) or (ii) of this definition;

5. Surface impoundments, pits, ponds, or lagoons;

6. Storm water or waste water collection systems;

7. Flow-through process tanks;

8. Liquid traps or associated gathering lines directly related to oil or gas production and gathering operations; and

9. Storage tanks situated in an underground area, such as a basement, cellar, mineworking, drift, shaft, or tunnel, if the storage tank is situated upon or above the surface of the floor. (1987, c. 528; 1989, c. 430.)

§ 62.1-44.34:12. Financial responsibility. — A. The Board shall adopt requirements for maintaining evidence of financial responsibility for taking corrective action by all owners and operators and petroleum storage tank vendors, in an amount of not less than \$50,000 per occurrence, and for compensating third parties for bodily injury and property damage by all owners and operators and petroleum storage tank vendors, in an amount of not less than \$150,000 per occurrence, in cases of accidental releases arising from operating an underground storage tank. Financial responsibility may be established in accordance with regulations promulgated by the Board by any one or any combination of the following: insurance, guarantee, surety bond, letter of credit, or qualification as a self-insurer.

Any claim arising out of conduct for which evidence of financial responsibility must be provided under this section may be asserted directly against the person guaranteeing or providing evidence of financial responsibility. In such a case, the person against whom the claim is made shall be entitled to invoke

all rights and defenses which would have been available to the owner or operator had such action been brought directly against the owner or operator. This section shall not limit any other state or federal statutory, contractual, or common law liability of the guarantor for bad faith in negotiating or in failing to negotiate the settlement of any claim. This section does not diminish the liability of any person under § 107 or § 111 of the Comprehensive Environmental Response, Compensation and Liability Act of 1980, or other applicable law.

B. Owners and operators of underground storage tanks who are unable to demonstrate financial responsibility in the minimum amounts specified in subsection A may establish an insurance pool in order to demonstrate such financial responsibility. Any contract establishing such an insurance pool shall provide:

1. For election by pool members of a governing authority for the pool, which may be a board of directors, a majority of whom shall be elected or appointed officials of pool members.

2. A financial plan setting forth in general terms:

a. The insurance coverages to be offered by the insurance pool, applicable deductible levels, and the maximum level of claims which the pool will self-insure;

b. The amount of cash reserves to be set aside for the payment of claims;

c. The amount of insurance to be purchased by the pool to provide coverage over and above the claims which are not to be satisfied directly from the pool's resources; and

d. The amount, if any, of aggregate excess insurance coverage to be purchased and maintained in the event that the insurance pool's resources are exhausted in a given fiscal period.

3. A plan of management which provides for all of the following:

a. The means of establishing the governing authority of the pool;

b. The responsibility of the governing authority for fixing contributions to the pool, maintaining reserves, levying and collecting assessments for deficiencies, disposing of surpluses, and administration of the pool in the event of termination or insolvency;

c. The basis upon which new members may be admitted to, and existing members may leave, the pool;

d. The identification of funds and reserves by exposure areas; and

e. Such other provisions as are necessary or desirable for the operation of the pool.

C. The formation and operation of an insurance pool under this section shall be subject to approval by the State Corporation Commission which may, after notice and hearing, establish reasonable requirements and regulations for the approval and monitoring of such pools, including prior approval of pool administrators and provisions for periodic examinations of financial condition.

The State Corporation Commission may disapprove an application for the formation of an insurance pool, and may suspend or withdraw such approval whenever it finds that such applicant or pool:

1. Has refused to submit its books, papers, accounts, or affairs to the reasonable inspection of the Commission or its representative;

2. Has refused, or its officers or agents have refused, to furnish satisfactory evidence of its financial and business standing or solvency;

3. Is insolvent, or is in such condition that its further transaction of business in this Commonwealth is hazardous to its members and creditors in this Commonwealth, and to the public;

4. Has refused or neglected to pay a valid final judgment against it within sixty days after its rendition;

5. Has violated any law of this Commonwealth or has violated or exceeded the powers granted by its members;

6. Has failed to pay any fees, taxes or charges imposed in this Commonwealth within sixty days after they are due and payable, or within sixty days after final disposition or any legal contest with respect to liability therefor; or

7. Has been found insolvent by a court of any other state, or by the Insurance Commissioner or other proper officer or agency of any other state, and has been prohibited from doing business in such state. (1987, c. 677; 1989, c. 627.)

§ 63.1-174.1. Admission and discharge of residents. — In determining whether to deny admission to a home for adults which is licensed to accept only ambulatory residents or to discharge from such a home a person who is nonambulatory and who objects to being denied admission or being discharged, the operator of the home shall consider the opinion of a physician as to the ability of the person to exit the home in an emergency. In enforcing regulations governing the kinds of residents accepted by a home for adults, the Department shall consider any medical opinions received by the operators of such homes as to the ability of residents to exit in an emergency and shall have the option of requiring additional medical evaluations, if deemed advisable.

For purposes of this section, an "ambulatory resident" is one who is either (i) independently mobile, meaning he is physically and mentally capable of exiting the particular home from the area thereof used by the resident without assistance in an emergency and can ascend or descend stairs if present in any necessary exit path, or (ii) semimobile, meaning he is able to exit the home with assistance of a wheelchair, walker, cane, prosthetic device or verbal command. A nonambulatory resident is a person who by reason of physical or mental disability or condition is unable to vacate the home in case of an emergency without the assistance of another person.

Buildings licensed for ambulatory residents, semimobile residents or nonambulatory residents shall be classified by and meet the specifications for the proper Use Group as required by the Virginia Uniform Statewide Building Code. (1981, c. 275; 1986, c. 430; 1989, c. 173.)

ADDENDUM 4

STATE AGENCIES WITH FUNCTIONAL DESIGN RESPONSIBILITIES

See Section 108.0, Functional design approval.

Although the USBC supersedes the building codes and regulations of State agencies, § 36-98 of the Code of Virginia provides that it shall not supersede State Agency regulations which require and govern the functional design and operation of building related activities not covered by the USBC. However, under Section 108.0 of the USBC, the building official may require applicants for building permits to submit evidence of compliance with State agency functional design requirements prior to issuance of the permit.

Functional design activities include but are not limited to: public water supply systems, waste water treatment and disposal systems, and solid waste facilities. State agencies may also require, when authorized by other State law to do so, that buildings and equipment related to these functions be maintained in accordance with the provisions of the USBC under which constructed.

What follows is a list of the functional design, operation, and maintenance approval authority for which certain State agencies are currently responsible under State law. It is intended as a guide to users of the USBC.

In a few cases, a memorandum of agreement has been concluded between the Department of Housing and Community Development and the affected State agency for purposes of coordination. A note has been placed in the following listing wherever such an agreement exists. Copies may be obtained from the Code Development Office upon request.

Buildings Regulated: Scope

Information Source

Adult homes and day care centers;
Functional Design

Division of Licensing Programs
Department of Social Services
Tyler Building Suite 221
8007 Discovery Drive
Richmond, VA 23229-8699
(804) 662-9025

Armories;
Functional Design

Staff Engineer
Department of Military Affairs
501 E. Franklin Street
Richmond, VA 23219
(804) 225-4730 Att: VAFM

Boilers, Pressure vessels;
Installation, operation,
maintenance

Chief Boiler Inspector
Department of Labor and Industry
205 North Fourth Street
Richmond, VA 23219
(804) 786-3160

Child care facilities, Group homes
for children, Family day care homes;
Functional design

(Same as Adult homes)

Correctional facilities, jails, and
related facilities including out-
reach detention, learning centers,
adult community residential services,
family group homes, emergency
shelter care, and pre-and post-
dispositional group homes;
Functional design and security

Planning and Evaluation Director
Planning and Engineering Services
Department of Corrections
6900 Atmore Dr.
Richmond, VA 23225
(804) 674-3102

Dairies, Milk processing plants;
Functional design and sanitation

Director of Milk Sanitation
Department of Health
109 Governor Street
Richmond, VA 23219
(804) 786-3559

Buildings Regulated: Scope

Information Source

Driveways entering State highways;
Functional design

District Engineer
VA Department of Transportation
--as follows:

P.O.Box 768
Bristol, VA 24201
(703) 669-6151

P.O. Box 671
Culpeper, VA 22701
(703) 825-8300

P.O. Box 808
Fredericksburg, VA 22401-0808
(703) 899-4288

P.O. Box 11649
Lynchburg, VA 24506
(804) 528 6504

P.O. Box 3071
Salem, VA 24153
(703) 387-5320

P.O. Box 2249
Staunton, VA 24401-1054
(703) 332-9091

P.O. Box 1070
Suffolk, VA 23434-1070
(804) 925-2500

Food processing and storage;
Functional design and sanitation

Division of Dairy and Foods
Department of Agriculture
Washington Building
1100 Bank Street
Richmond, VA 23219
(804) 786-8899

Buildings Regulated: Scope

Information Source

Historic Buildings and landmarks;
Preservation regulations

Dept. of Historic Resources
221 Governor Street
Richmond, VA 23219
(804) 786-3144

Hospitals;
Functional and sanitation
standards

Division of Licensure and
Certification
Department of Health
109 Governor Street
Richmond, VA 23219
(804) 786-2081

Hotels and Motels, Restaurants,
Swimming pools, Camps and
camping and tourist areas;
Functional design and sanitation
(Bureau of Tourist Establishment)

Division of Sanitarian Services
Department of Health
Room 500
109 Governor Street
Richmond, VA 23219
(804) 786-3559

Incinerators, chimneys, commercial
heating plants;
Pollution control

Division of Technical Evaluation
Dept. of Air Pollution Control
Ninth Street Office Building
P.O. Box 10089
Richmond, VA 23240
(804) 786-4867

Landfill, solid waste disposal
facilities;
Functional and sanitation
standards

Local Public Health Office

Buildings Regulated: Scope	Information Source
Mental Health facilities (providing psychological care, drug treatment, alcohol treatment and mental treatment); Health, safety and functional design	Department of Mental Health, Mental Retardation and Substance Abuse Services Architecture and Engineering Services 109 Governor Street Richmond, VA 23219 (804) 786-3926
Migrant labor camps; Sanitation	Local Public Health Office
Nursing homes; Functional and sanitation standards	(Same as Hospitals)
Public buildings; Maintenance of fire safety requirements of the Uniform Statewide Building Code (Memorandum of Agreement available from Code Enforcement Office)	Regional Managers, Code Enforcement Office Department of Housing and Community Development--as follows Northern Virginia Regional Office Suite 22, SPR Building 70 Main Street Warrenton, VA 22186 703) 347-7623 Southwest Regional Office 200 West Hull Building 554 S. Main Street Marion, VA 24354 (703) 783-3461 Tidewater Regional Office Building Number 5, Suite 223 Koger Executive Center Norfolk, VA 23502 (804) 455-3820

Buildings Regulated: Scope

Information Source

Public buildings (con't)

Regional Offices (con't)

Central Regional Office
205 North Fourth Street-1st Floor
Richmond, VA 23219
(804) 786-8021

Western Regional Office
Suite B40, Commonwealth Bldg.
212 Church Avenue, SW
Roanoke, VA 24011
(703) 857-7360

School buildings (public);
Functional standards

Supervisor of Energy and Facilities
Department of Education
James Monroe Building
P.O. Box 6-Q
Richmond, VA 23216
(804) 225-2035

Sewage treatment and septic tanks;
Sanitation
(Memorandum of Agreement avail-
able from Code Enforcement Office)

Local Public Health Office

Sewage treatment and Water treat-
ment facilities, ground water,
rivers and streams;
Pollution Control

Hotline
State Water Control Board
2111 North Hamilton Street
Richmond, VA 23230
(804) 367-0080

Signs for outdoor advertising;
Function design

Coordinator, Environmental
Division
VA Department of Transportation
1401 East Broad Street
Richmond, VA 23219
(804) 786-4304

Buildings Regulated: Scope

Information Source

Training schools for juveniles
and adults;
 Functional design

Same as School Buildings

Utilities affected by highway
construction;
 Functional design

Right of Way Division
VA Department of Transportation
1221 East Broad Street
Richmond, VA 23219
(804) 786-2923

Waterworks, public water supply;
 Functional design and sanitation
(Memorandum of Agreement avail-
able from Code Enforcement Office)

Local Public Health Office

Toilet facilities for construction
workers;

Department of Labor and Industry
205 North Fourth Street
Richmond, VA 23219-1747
(804) 786-2376

PREVIOUS ADOPTIONS AND AMENDMENTS

The Virginia Uniform Statewide Building Code (USBC) was first adopted in 1973 by the State Board of Housing. Responsibility for the USBC passed to the State Board of Housing and Community Development on July 1, 1978. The initial adoption and subsequent amendments by these Boards are indicated below:

* 1973 Edition

Adoption date: January 29, 1973

Effective date: September 1, 1973

Title: Virginia Uniform Statewide Building Code,
Administrative Amendments, 1973 Edition

Major reference standards:

BOCA Basic Building Code/1970, with 1972
Accumulative Supplement

BOCA Basic Mechanical Code/1971

BOCA Basic Plumbing Code/1970, with 1972
Accumulative Supplement

NFiPA National Electrical Code/1971

One and Two Family Dwelling Code/1971

* 1974 Accumulative Supplement

Adoption date: November 26, 1973

Effective date: April 1, 1974

Title: 1974 Accumulative Supplement to Virginia
Uniform Statewide Building Code

Major reference standards:

BOCA Basic Building Code/1970 with 1972
Accumulative Supplement

BOCA Basic Mechanical Code/1971

BOCA Basic Plumbing Code/1970 with 1972
Accumulative Supplement

NFiPA National Electrical Code/1971, with
1973 Accumulative Supplement

- * **1975 Accumulative Supplement**
Adoption date: November 17, 1975
Effective date: February 7, 1976
Title: 1975 Accumulative Supplement to Virginia
Uniform Statewide Building Code
Major reference standards:
 - BOCA Basic Building Code/1975
 - BOCA Basic Mechanical Code/1975
 - BOCA Basic Plumbing Code/1975
 - NFiPA National Electrical Code/1975
 - One and Two Family Dwelling Code/1975

- * **1978 Accumulative Supplement**
Adoption date: June 19, 1978
Effective date: August 1, 1978
Title: 1978 Accumulative Supplement to Virginia
Uniform Statewide Building Code
Major reference standards:
 - BOCA Basic Building Code/1978
 - BOCA Basic Mechanical Code/1978
 - BOCA Basic Plumbing Code/1978
 - NFiPA National Electrical Code/1978
 - One and Two Family Dwelling Code/1975

- * **1978 Accumulative Supplement (First Amendment)**
Adoption date: November 17, 1980
Effective date: January 1, 1981

Note: The 1978 Accumulative Supplement to the Virginia Uniform Statewide Building Code was continued, but with a few changes to the previously referenced BOCA Basic Building Code/1978.

- * **1981 Edition**
 Adoption date: March 15, 1982
 Effective date: July 16, 1982
 Title: Virginia Uniform Statewide Building Code, 1981 Edition
 Major reference standards:
 BOCA Basic Building Code/1981
 BOCA Basic Mechanical Code/1981
 BOCA Basic Plumbing Code/1981
 NFIPA National Electric Code/1981
 One and Two Family Dwelling Code/1979 with 1980 Amendments

- * **1981 Edition (First Amendment)**
 Adoption date: March 19, 1984
 Effective date: June 20, 1984
 Title: Sections 515.4 and 515.5 of Article 5 of the 1981 Edition,
 Virginia Uniform Statewide Building Code

- * **1984 Edition**
 Adoption date: November 18, 1984
 Effective date: April 1, 1986
 Title: Virginia Uniform Statewide Building Code, Volume I - New
 Construction Code, 1984 Edition
 Major reference standards:
 BOCA Basic/National Building Code/1984
 BOCA Basic/National Mechanical Code/1984
 BOCA Basic/National Plumbing Code/1984
 NFIPA National Electric Code/1984
 CABO One and Two Family Dwelling Code/1983 with 1984
 Amendments

* **1987 Edition**

Adoption date: December 14, 1987

Effective date: March 1, 1988

Title: Virginia Uniform Statewide Building Code, Volume I - New
Construction Code, 1987 Edition

Major reference standards:

BOCA National Building Code/1987

BOCA National Mechanical Code/1987

BOCA National Plumbing Code/1987

NFiPA National Electric Code/1987

CABO One and Two Family Dwelling Code/1986 with 1987
Amendments

* **1987 Edition (First Amendment)**

Adoption date: November 19, 1988

Effective date: March 1, 1989

Title: Virginia Uniform Statewide Building Code, Volume I - New
Construction Code, 1987 Edition

Major reference standards: Same as 1987 Edition.

* **1987 Edition (Second Amendment)**

Adoption date: October 23, 1989

Effective date: March 1, 1990

Title: Virginia Uniform Statewide Building Code, Volume I - New
Construction Code, 1987 Edition

Major reference standards: Same as 1987 Edition.

* **1987 Edition (Third Amendment)**

Adoption date: August 1, 1990

Effective date: October 1, 1990

Title: Virginia Uniform Statewide Building Code, Volume I - New
Construction Code, 1987 Edition

Major reference standards: Same as 1987 Edition.

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

Chairman

Douglas R. Fahl
8401 Arlington Blvd.
Fairfax, VA 22031

Francis H. Fife
P. O. Box 557
Charlottesville, VA 22902

Vice Chairman

Marian P. Whitehurst
209 Hall Drive
Chesapeake, VA 23320

Jules L. Elliott
P. O. Box 194
Fredericksburg, VA 22404

James W. Roncaglione
9807 Bridleridge Court
Vienna, VA 22180

Margaret W. DeMallie
P. O. Box 2555
Charlottesville, VA 22902

Kenneth R. Sharp
3568 Peters Creek Road
Roanoke, VA 24019

The Honorable James W. Robinson
Box 187
Pound, VA 24279

Robert J. Leipertz, Jr.
7913 Stiles Road
Richmond, VA 23235

Secretary (Non-Member)
Neal J. Barber, Director
Department of Housing and
Community Development
205 North Fourth Street
Richmond, VA 23219

ADDENDUM 7

STATE BUILDING CODE TECHNICAL REVIEW BOARD

Chairman

Curtis R. Jennings, Jr.
6835 Sugar Rum Ridge, SW
Roanoke, VA 24018

Selby C. Jacobs
1 County Complex Court
Prince William, VA 22192

Vice Chairman

Leo J. Cantor
4501 Cutshaw Ave.
Richmond, VA 23230

Stanley C. Harris
4210 Southhaven Rd.
Richmond, VA 23235

Peter V. Henderson
117 South Stockard Ct.
Williamsburg, VA 23185

Terrell D. Moseley
P. O. Box 3095
Lynchburg, VA 24503

Ronald E. Ponzio
4 Frances Street
Newport News, VA 23601

Secretary (Non-member)
Jack A. Proctor
Deputy Director
Division of Building
Regulatory Services
205 North Fourth St.
Richmond, VA 23219

ADDENDUM 8

FORMS AVAILABLE

The Division of Building Regulatory Services has prepared certain forms for the assistance of users of the Uniform Statewide Building Code. Their use is optional and is not required by the Code. Copies of the forms may be obtained free-of-charge in reasonable quantities from:

Code Development Office
205 North Fourth Street - Fourth Floor
Richmond, Virginia 23219

Forms available at this time include:

- * Request for Interpretation to the State Building Code Technical Review Board
- * Application for Appeal to the State Building Code Technical Review Board
- * Proposed Changes to the Uniform Statewide Building Code

APPENDIX A

USE GROUP CLASSIFICATION FOR CHILD DAYCARE FACILITIES

Use Group	Occupant Load	Occupancy Characteristics
R-3 or R-4 When licenced as a Family Day Care Home by Dept. of Social Services	Maximum 9	Any age
R-3 or R-4 Boarding House	1-5	non-related individuals
R-1 Boarding House	6 or more	non-related individuals
I-2 (Day Care)	unlimited	Under 2-1/2 years of age (less than 24 hour care)
E (Child Day Care Center)	5 or more	Over 2-1/2 years of age (less than 24 hour care)
I-1 Orphanage	21 or more	Over 2-1/2 years of age and ambulatory
R-2 Orphanage	6-20	Over 2-1/2 years of age and ambulatory
R-3 or R-4 Orphanage	1-5	Over 2-1/2 years of age and ambulatory
I-2 Orphanage	unlimited	Under 2-1/2 years of age