

Workgroup 1, 2, 3 & 4 Meeting
Virginia Housing Center
April 11, 2017
Summary Notes

Cindy Davis explained that since there were 3 or more board members of the Board of Housing and Community Development present it was advertised as an official board meeting, it was necessary to open the meeting and call roll to determine that a quorum was not present and then close the meeting. This was done on advice from our legal counsel.

Cindy Davis welcomed everyone and had attendees introduce themselves. Review of code proposals began.

A-75 cdpVA-15 Proponent: Michael Redifer
mredifer@nvva.gov

Reason: A number of localities do not have certified amusement device inspectors on staff and in many cases must secure the services of a private inspector. This section as written requires the locality to reduce permit fees by seventy-five percent when a private inspector is used regardless of whether the inspector is compensated by the owner/operator or the locality.

Comments:

Michael Redifer gave an overview of his proposal. There was no opposition to the proposal.

Consensus for approval.

C-103.3 cdpVA-15 Proponent: William Andrews
William.andrews@richmondgov.com

Reason: This proposal was carried over from the proposed phase and reassigned to WG1.

Comments:

Cindy Davis gave an overview of this proposal. Although this was carried over to allow for changes, no changes have been made from last cycle. Last code cycle there was opposition to this proposal because of the wording.

William Andrews gave an overview of his proposal.

Consensus for disapproval. No support

C-106.4 cdpVA-15 Proponent: William Andrews
William.andrews@richmondgov.com

Reason: The building official is responsible for issuing permits which involve changes to fire protection systems, including fire department connections. Firefighters use fire department connection to use standpipe and sprinkler systems as fighting fires in buildings so equipped. Firefighters need to be informed where a new fire department connection is being installed, moved, disabled, removed or changed.

Comments:

William Andrews gave an overview of his proposal.

Glenn Dean stated he wasn't opposing, just had a question as to how it relates to state buildings versus your department. Normally the state doesn't respond to local officials. I have a concern about the relationship.

Robby Dawson added it should be fire chief instead of fire official since some jurisdictions don't have fire chiefs. Mr. Yost asked how this proposed change impacts private fire protection system when it is control of the owner.

William Andrews said rather than the owner notifying the fire official then we put the responsibility on the building official. Rick Witt stated this is a coordination and communication issue for the locality. He doesn't like regulations trying to create behaviors. Have issues with it.

Non-consensus.

C-108.2 cdpVA-15 Proponent: Charles Bajnai, representing self and Richard Bartell of Hanover County
bajnaic@chesterfield.gov

Reason: Section 108.2 item #14.6 currently stipulates that replacing more than 100 square feet of roof decking would require a building permit. This proposal changes the limit to 256 square feet before a building permit is required.

Comments:

Chuck Bajnai gave an overview of his proposal. Mr. Bartell stated he and Mr. Bajnai are in agreement of the 256 sq. ft. change.

David Beahm stated he needed to speak twice, once for the administrative committee for VBCOA that supports this change. He personally does not support due to townhome construction problems.

Robby Dawson asked if there was additional language added in item number 9 of that code section as it appears a new section has been added. Vernon Hodge stated this is not a change, but rather a hyperlink, which will be removed.

Richard Bartell stated this is for a typical standard plywood roof. Special conditions are retained for any special fire resistance requirements.

Jeff Morrow stated he was against this. David Beahm stated he was also against.

Non-consensus

C-113.7.1 cdpVA-15 Proponent: Michael Redifer, representing City of Newport News

mredifer@nvva.gov

Reason: Although it is common practice in a number of localities, the authority to require third-party inspections outside of the Special Inspection provisions of Chapter 17 is not clearly stated nor is the responsibility for cost when this procedure is used.

Comments:

Michael Redifer gave an overview of his proposal.

Vernon Hodge said that we have statutory laws that require the building official to inspect. This addresses new and existing buildings. We would need to talk with our legal counsel.

Richard Bartell stated it is what it is. This is what we do now. Rick Witt asked if this language should also be in maintenance code.

Consensus for approval with legal counsel advising about the statutory issue.

C-115.2 cdpVa-15 Proponent: Ronald Clements, Jr

clementsro@chesterfield.gov

Reason: VCC Section 118.4, SFPC section 111.1 and VMC section 1004.5.4.2 specify that the NOV should include a timeframe to make corrections. Section 115.2 stipulates a reasonable time to correct violations before the NOV issued but the section is silent on timeframes for compliance with the NOV.

Comments:

Ron Clements standing on his supporting statement.

Consensus for approval

C-119.7 cdpVA-15 Proponent: Richard Witt representing Richard Witt

witr@chesterfield.gov

Reason: This change is intended to clarify that the decision of the LBCCA is not restricted to a formal format of a resolution and that a letter would be sufficient. Hearing and decision.

Comments:

Rick Witt gave an overview of his proposal. Shaun Pharr asked if Rick would entertain adding, shall be explained in writing. Rick Witt accepted that as a friendly amendment.

An additional “resolution” was inadvertently left in and needs to be changed to “decision”. Mr. Witt agreed.

Consensus for approval

CB-202(1) cdpVA-15 Proponent: Arthur Berkley representing Isle of Wight County
aberkley@isleofwightus.net

Reason: There is currently no definition in the code providing a definition of a farming operation although the term is utilized in the definition of a farm building or structure. This leads to confusion and an inability to effectively define a farm building or structure eligible for the exception to permitting found in Chapter 1, Section 102.3

Comments:

Art Berkley is standing on the supporting statement.

David Beahm stated the administrative committee of VBCOA opposes this. Andrew Smith with VA Farm Bureau opposes this proposal. Jonathan Harding with Virginia Agribusiness Council also opposes this proposal

Chuck Bajnai suggested Art Berkley get with others to modify language and bring back to the workgroup. Andrew Smith stated he would be happy to sit down with the proponents.

Jeff Morrow opposes this. Haywood Kines stated that some are coming to get a building permit for a barn and then use this building for other uses.

Vernon Hodge stated we cannot change state law. We will have to take to legal counsel. Shaun Pharr stated that the Technical Review Board took this up. State law was not at all vague. Andrew Smith and Art Berkley will discuss and bring any suggested language back to the next workgroup.

Carryover to the June workgroup meeting.

CB202 (2) cdpVA-15 Proponent: Kenney Payne, representing AIA-VA
kpayne@moseleyarchitects.com

Reason: As currently written, there were so many different definitions and applications of a change of occupancy, it was very confusing and could possibly be interpreted as having conflicting provisions. This code change proposal starts with the 2012 VCC 103.3 “definition” (concerning the “greater degree” of the listed six elements) and attempts to simplify the definition of a change of occupancy...

Comments:

Kenney Payne gave an overview of this proposal. This came out of training preparation for VBCA along with multiple definitions and codes.

Rick Witt stated his support for this. We need one definition for all codes. Jeff Morrow said the IEC committee is supporting this. Robby Dawson noted there may be a question to the verbiage regarding the IBC reference. Vernon Hodge said we can do either. We can use VCC throughout to pick up all state amendments. Kenney Payne stated he had no problem with this.

Michael Redifer said he commended all the hard work on this. We are looking at a change in components such as what was required in a building. I would recommend or suggest adding a few more words for clarity.

Haywood Kines stated that a general office could be changed to a dental office; it is the change of use.

Jeff Morrow stated this is just a definition clarification.

David Beahm stated VBCOA supports this change with items noted IBC language.

Consensus for approval with changes to make references to IBC to the VCC and IEBC to the VEBC and add “or any change in use within a group for a specific occupancy classification” to all the definitions.

CB-903.2.4 cdpVA-15 Proponent: Emory Rodgers
errpp1242@verizon.net

Reason: This proposal is to correlate with the Virginia amendment in the 2012 VCC for Group M. Fire driving this change was in improperly built building without separation and permits. If remains penalizes owners of factories built to code. VA fire data not supports.

Comments:

Emory Rodgers was not present at this workgroup meeting. Cindy Davis gave an overview of this proposal.

Art Berkley is in favor of deleting this proposal. This will be putting self-storage warehouse buildings out of business. Take the 2500 sq. ft. out. The current wording ties you to the occupancy and not the area.

Robby Dawson stated that this has been in the code since 2009. The ICC Codes have it right, F1 and S1 use. Andrew Milliken stated that the fire data shows that this occupancy can be problematic.

Glenn Dean said deleting it because it would put the self-storage warehouse buildings out of business is a moving target and hardly a reason for a code change.

Richard Bartell asked who is enforcing putting your furniture in a storage area.

Rick Witt stated he agreed with Art Berkley regarding self-storage being an issue. I don't know if they have 2500 sq. ft. of furniture or mattresses. I think we should carry this over to find a better way to say it. Jeff Morrow said he didn't agree with the F1.

Carry over to the June workgroup meeting to tweak the language.

CB-903.3.5.1.1 cdpVA-15 Proponent: Emory Rodgers
errpp1242@verizon.net

Reason: Limited area sprinkler systems were changed from 20 heads to 6 based on using NFPA 13 calculations water supply had to be 4 inches line not 1-2 inches. Thousands of these systems have been approved for decades to allow sprinklers to be added in windless stories or work areas that need sprinklers with separations. VRC existing buildings

would prove to be too costly for renovation thus a barrier to reuse of older buildings and revitalization efforts.

Comments:

Cindy Davis gave an overview of Emory Rodgers proposal.

Robby Dawson stated he is standing on his public comment in cdpVA.

Shaun Pharr stated there are productive uses for added sprinklered areas. Richard Bartell stated that he has used the 20 head limit for a long time.

Mike Armstrong stated he disagrees. We are getting into commercial. Linda Hale stated they are seeing very large limited area systems in commercial buildings and that is the problem. George Hollingsworth stated in a 2 story space, we want something that we know can control the fire.

Non consensus

CB-915.1.1 cdpVA-15 Proponent: Kenney Payne representing AIA Virginia
kpayne@moseleyarchitects.com

Reason: VCC Section 915.1.1 (modified to 916.1.1 Installation in the “Proposed Regulations”). Radiating cable is a coaxial cable. Also, radiating cable does not work in metallic conduit so installing such cable in dedicated conduit does not work.

SFPC Section 510. It describes that the locality has to install and maintain necessary additional communication equipment. This is in accordance with the federal regulations of the FCC. However, the final sentence needs to be clarified that this does not apply to radio amplification or repeater equipment.

Comments:

Kenney Payne gave an overview of his proposal which was submitted on behalf of a ham radio user. Provided in accordance with the manufacturer’s instructions.

Andrew Milliken stated he wanted to make sure the radio amplification terms are correct.

Shaun Pharr asked if we are talking about modifications to meet the concerns of a ham radio. Robby Dawson stated he had a concern with coaxial cable. I don’t think it is broke.

Consensus for disapproval.

CB-1023.5 cdpVA-15 Proponent: Kenney Payne representing AIA-VA and Emory Rodgers
kpayne@moseleyarchitects.com errpp1242@verizon.net

Reason: Structural framing is allowed to penetrate other rated assemblies, including rated corridor walls and other fire barriers and rated construction (e.g., those elements governed by Chapter 6) or even penetrate into fire walls. As long as the penetrations are

fire-stopped and/or installed and tested as required by Section 714, the level of safety should be equivalent to that of a corridor or shaft that was penetrated by such structure...

Comments:

Kenney Payne gave an overview of his proposal.

Jeff Morrow stated VBCOA gave their support. Andrew Milliken stated that this wouldn't apply to high rises.

Consensus for approval

CB-2603.5.5 cdpVA-15 Proponent: Kenney Payne representing AIA-VA
kpayne@moseleyarchitects.com

Reason: DHCD Staff Note: This proposal was carried over from the proposed phase and reassigned to WG2.

Comments:

Kenney Payne gave an overview of his proposal. Some concerns raised by codes and standards and some concerns about combustible in walls.

Chuck Bajnai said we have an exception within an exception.

David Beahm stated that you currently can use exception 3 or exception 1.

Kenney Payne said we are just trying to get one story buildings sprinklered. Kenney agreed to amend the language to combustible materials instead of using a laundry list of products.

Consensus for approval with amendments

CR-E3902.16 cdpVA-15 Proponent: Haywood Kines
hkines@pwcgov.org

Reason: DHCD Staff Note: This proposal was carried over from the proposed phase and reassigned to WG3. The proposed phase proposal with the workgroup disposition and reasons may be viewed at Proposed Phase Proposal.

Comments:

Haywood Kines gave an overview of his proposal. Prevention devices are on the market now. Jeff Sargent stated his support for Mr. Kine's proposal. It is time for VA to move forward.

Mike Toalson stated his concerns since he cannot find fire data for this. I suggest rejecting this. We urge going forward as non-consensus

Don Surrena stated that we don't have enough statistics for this right now.

Haywood Kines suggested that he re-read the proposal no nuisance tripping.

Non-consensus

CR-R308.4.5 cdpVA-15 Proponent: J. Robert Allen

All56@henrico.us

Reason: This revision eliminates the exception by inverting the condition stated in the exception and including it in the general requirement. The result is the same; however, this would help clarify a requirement that users sometimes find confusing.

Comments:

Robert Allen gave an overview of his proposal. He stated it was just for clarification.

Consensus for approval

CR-R313.1 cdpVA-15 Proponent: Ned Yost

nedjanet@gmail.com

Reason: Summary Statement: Code requirements for life safety measures to protect elderly residents living independently in one and two-family dwellings designed or developed and marketed to senior citizens 55 years of age or older do not address the life safety risks to which such older residents are exposed.

Comments:

Ned Yost gave an overview of his proposal. He speaks as a resident of 1 and 2 family dwellings. He watched a neighbor survive a kitchen fire in an unsprinklered dwelling. Retirement communities in multi-story buildings have sprinklers. One and two family dwellings are exposed. This change would give future residents in new construction to have sprinkler protection.

Glenn Dean asked how old the building was that had the fire. Mr. Yost responded that it was around 20 years old.

Mike Toalson stated that most 55 plus communities built today are single story buildings. We object to this proposal. Any person who wants to add sprinklers to their dwelling can do so individually. We just don't want this required.

Robby Dawson stated he supports Mr. Yost proposal. Steve Ennis stated he understood the cost factor is because it is an option you can add in. Because it is an option, the cost continues to stay high because it is not mandatory. Andrew Milliken stated he realizes this is a growing population for this component and should be provided by the developer to protect its residents.

Chuck Bajnai stated that this is the fastest growing market in Chesterfield. Wants Clarification whether you want duplex or townhouse construction.

Ned Yost stated he believed it was the free standing and town house construction. He is in this for life safety for the elderly.

Linda Hale stated she agreed with this proposal. George Hollingsworth stated that he also supported this proposal.

Robert Allen said he wasn't speaking against this; he just has a problem with the language. Kenney Payne agreed and said he wasn't in favor or in opposition; he thinks the exceptions are confusing. Robby Dawson believes there is a better way to structure this.

Randy Grumbine stated his builders object to this.

Mike Toalson stated that only 2 states, MD and CA, have mandated this. We believe it is unnecessary. It would be a significant burden and unnecessary expense. Many 55 plus are trying to reduce the cost of their homes.

David Beahm stated he didn't want to get into the marketability aspect.

Rick Witt stated that he addresses water quality and quantity because it is an issue in some areas. Mike Armstrong stated that he would like to re-iterate that we are an aging population and when we lose people in our homes, it is mostly young children and older adults.

Carryover to the June workgroup meeting

CR-R602.10.9 cdpVa-15 Proponent: J Robert Allen
All56@henrico.us

Reason: This exception was added to the 2009 Virginia Residential Code as a compliance alternative to the stem wall reinforcement requirements of the International Residential Code. For unknown reasons, this exception was not included in the 2012 VRC.

Comments:

Robert Allen gave an overview of his proposal.

Consensus for approval

CR-R802.2 cdpVA-15 Proponent: Charles Bajnai representing Chesterfield County
bajnaic@chesterfield.gov

Reason: I rewrote Section R802.2 with the help of AWC. My proposal (RB310) was approved as modified by the ICC Committee at the Louisville meeting.

Comments:

Chuck Bajnai gave an overview of his proposal. ICC approved this as consensus and he stands on his reason statement.

Robert Allen said that he was talking on behalf of Chris Snidow who suggests adding "column or posts" to Section R802.3. Chuck Bajnai said he would accept that. Ron Clements suggested just putting a period after the word "end" and striking "...by a wall or girder." Chuck Bajnai said he would also accept that.

Mike Toalson suggested since we are in the middle of our code cycle, shouldn't we wait to 2018 to bring in 2018 code changes. Chuck Bajnai said right now he would use the 2018 to grant a modification.

Non-consensus

CTS-305.2.4 cdpVA-15 Proponent: Robert Adkins representing Prince William County

radkins@pwcgov.org

Reason: To identify mesh barriers as temporary barriers and not permanent.

Comments:

Tom Clark gave an overview of Mr. Adkins (who has retired) proposal. Mesh barriers is only temporary and not permanent.

Kris Bridges said the mesh barrier has to meet barrier requirements. Kenney Payne said the term needs to be duplicated in the heading of the proposal. Tom Clark stated he would make the changes to the proposal.

Rick Witt asked if this intent was to use the barrier only during construction. If temporary, it could be used for 6 months or whatever is defined as temporary.

Carryover to the June workgroup meeting

CTS-305.2.9 cdpVA-15 Proponent: Ronald Clements, Jr.

clementsro@chesterfield.gov

Reason: The requirement for a clear zone adjacent to a pool barrier prohibits placement of fences and barriers on or within 3 feet of a property line per TRB ruling 1/2017. This seems like an excessive requirement...

Comments:

Cindy Davis gave an overview for this proposal that this was a result of the TRB interpretation.

Kris Bridges stated that the pool barrier is not intended to be a privacy fence for your backyard. By deleting this section, it does far more harm than good and the consequences deadly.

Haywood Kines stated that the 3 ft. it is still going to get climbed. Richard Bartell said he is in favor of this proposal. Tom Clark stated he was in favor of the code changes.

Mike Toalson stated he would support this proposal. Rick Witt said he would support this proposal. Bob Allen said that this intent was well. I don't have a problem with this change.

Non-consensus.

F-102.1.1 cdpVA-15 Proponent: William Andrews

William.andrews@richmondgov.com

Reason: For 2015 code, change to wording from IBC, so use per Certificate of Occupancy issued by building official. Current code limits fire official from citing violation when use changes unless only within same use group (this section) or declare building unsafe due to changed use (section 110.4)...

Comments:

William Andrews gave an overview of his proposal. Rick Witt stated he has issues with this. Greg Revels said add 102.1.1 changes to the description. Robby Dawson said he will help work on it for the next workgroup.

Carryover to the June workgroup meeting

F-107.2 cdpVA-15 Proponent: James Dawson representing The VA Fire Services Board and Glenn Dean

dawsonj@chesterfield.gov; gad.pompier@gmail.com

Reason: The 2015 Session of the Virginia General Assembly saw two proposed bills dealing with the prohibition or regulation of exploding or reactive targets. Those bills were laid on the table at the time with the intention of addressing the issue through the normal SFPC development process. In subsequent meetings, the legislators agreed to not pursue further legislation provided the concepts addressed by this code change were approved.

The Virginia Fire Services Board, working with stakeholders including reaching out to shooting sports enthusiasts and retailers, developed this proposal as a reasonable regulatory process to address the threats and risks associated with the use of these chemical compounds...

Comments:

Glenn Dean gave an overview of his proposal.

Linda Hale said consistently using 1 lb. or less causes glass breakage and ear drum problems.

Rick Witt asked if a homeowner stock up and have 10- 10 lbs. without a permit. Linda Hall said yes as long as you don't mix it. We have a need for this. SFMO agrees and supports this.

Consensus for approval

F-107.2 (2) cdpVA-15 Proponent: James Dawson and Glenn Dean

dawsonj@chesterfield.gov and gad.pompier@gmail.com

Reason: Because of an increased use of mobile food preparation vehicles and a commensurate increase in fire incidents involving such vehicles, this proposal was created to address the commercial use of mobile food preparation vehicles.

Comments:

Robby Dawson gave an overview of his proposal and asked to carry this over.

ICC approved version based on the final action hearings.

Jeff Morrow said he doesn't have problem with concept. Excludes private recreational use. Only commercial vehicles. Please make it clear.

Cindy Davis stated this is under the operational permit so this gives the jurisdictions latitude to decide whether they want it or not. How would this work in areas covered by the SFMO? Robby Dawson said it would still have to comply with this unless the SFMO has requested a code change to require a permit.

Anthony McMahan said he has an issue with this.

Andrew Milliken said this is very important and is a Virginia issue. I think we need guidance and it needs to be addressed.

David Beahm said it definitely needs to be worked on to clarify those issues that were brought up. Last issue with VCU.

Robby Dawson asked if we added vehicles and enclosed areas. Would this help? Robby asked that folks email him with concerns and he will work on the proposal for review at the June workgroup meeting.

Carry over to the June workgroup meeting

F-319 (1) cdpVa-15 Proponent: Emory Rodgers

Errpp1242@verizon.net

Reason: Provides a statewide standard when localities want to permit food trucks. Now local FO's often use standards that in the IFC are only for systems in buildings. Uniformity is achieved statewide.

Comments:

Carryover to the June workgroup meeting

F-319 (2) cdpVA-15 Proponent: William Andrews representing City of Richmond Fire Marshal's Office

William.andrews@richmondgov.com

Reason: Cooking is main cause of fires, so fire official needs regulation on cooking that produces grease vapors. Fire official have been using Section 609 which requires Type I hood for such cooking, yet state's proposals editing building feature requirements might lessen our authority to stop frying in a store, not under hood with suppression system approved by the building code.

Comments:

William Andrews gave an overview of his proposal.

Rick Witt said we should hold this over.

Carryover to the June workgroup meeting

F-403.12.3.1 cdpVA-15 Proponent: Emory Rodgers

errpp1242@verizon.net

Reason: Rather than having five crowd managers if over 1,000 persons, this proposal would establish one crowd manager for events having 1,001 through 1,250 persons and an additional crowd manager for every 250 persons above 1,250.

Comments:

Cindy gave an overview of his proposal. Adding one crowd manager for every 250 persons above 1,000 persons.

Robby Dawson submitted a public comment through cdpVA.

Jimmy Moss asked doesn't this say 1 for 1,000 persons. Haywood Kines stated that in 403.12.3.1 for every 250 you need 1 crowd manager.

Andrew Milliken stated there is no substantiation for Emory's suggestions. Rick Witt stated there is confusion for original and proposal. I suggest we get the groups together and work on this.

Carryover to the June workgroup meeting

F-507.5.1 cdpVA-15 Proponent: Mike Toalson representing Home Builders Association of Virginia

mltoalson@hbav.com

Reason: Hydrant system upgrades or extensions are generally required or proffered when creating new subdivisions or in large commercial projects and the cost can be absorbed in the development costs. The cost of extending a hydrant system for a single building should not have to be borne by the owner or developer as it would prevent the project from moving forward.

Comments:

Mike Toalson gave an overview of his proposal.

Robby Dawson asked if we really needed exception 1, said to reduce from 5-1

Haywood Kines said he agrees with exception #2.

Chris Snidow stated we should add to the first sentence without a lateral.

Kenney Payne asked if this was typical to have this in this location.

John Ainslie stated that people are tearing down homes in older subdivisions that currently have a fire hydrant system. The person tears the house down and they can't get a permit unless they agree to put sprinklers in or add infrastructure at their cost. It would cost \$5,000 to \$30,000 in some cases. Requiring private funding of a public system that would benefit anyone who constructed on a remnant infill lot later without any cost is not a fair requirement.

Non-consensus

F-609.1 cdpVA-15 Proponent: Richard Witt

witr@chesterfield.gov

Reason: This change will clarify that commercial hoods must be maintained and if there is a change in cooking use or an appliance replacement it must be referred to the building official.

Comments:

Proponent would like to carryover to the June workgroup meeting.

F-609.3 cdpVA-15 Proponent: William Andrews representing City of Richmond, Fire Marshal's office

William.andrews@richmondgov.com

Reason: Cooking is the main cause of fires. Fire code needs to regulate where cooking that produces grease vapors occurs inside a building or structure.

Comments:

Proponent would like to carry over to the June workgroup meeting.

F-609.3.3.1 cdpVA-15 Proponent: Joseph Mullens representing Rockingham County Fire and Rescue

jmullens@rockinghamcountyva.gov

Reason: The reason I am requesting this change is to clear confusion among fire inspectors and property owners and occupants.

Comments:

Joseph Mullens gave an overview of his proposal. Just adding or cleaned.

Consensus for approval

F-703.1(1) cdpVA-15 Proponent: Zachary Adams

adamsz@vt.edu

Reason: While we agree it is imperative that the integrity of fire-resistance construction be maintained, to require an annual inspection imposes a substantial burden on the owner, especially where an extensive amount of square footage is occupied. Also, what tangible benefit does imposing an annual inspection requirement achieve? Finally, it appears sections 108.1(1) of the VCC and 105.1 of the VRC would require any work affecting such construction must be performed under a permit and are subject to inspection by the code official and during which any needed repairs to this construction would be identified...

Comments:

Zachary Adams was not present to speak on this proposal.

Robby Dawson stated the next proposal was an alternative to this. Suggested he talk about this one and his proposal F-703.1(2).

Rick Witt stated that he would like to see this carried over so Zach could have a chance to speak about this proposal.

Jeff Morrow stated is it to be inspected annually or when penetrated?

Carryover to the June workgroup meeting

F-703.1(2) cdpVA-15 Proponent: James Dawson
dawsonj@chesterfield.gov

Reason: This proposal is the result of discussions held at the August 7, 2016 WG Meeting and August 17th WG Meeting. In those discussions, it was proposed that annual inspections of some of these fire-resistant features may be excessive when those areas are not occupied or entered for normal service work in the building. This proposal allows a building owner to petition the fire official, based on past history of finding no penetrations or damage to these construction elements, to inspect them on a less than annual basis.

Comments:

Robby Dawson gave an overview of his proposal.

Kenney Payne asked what if it was done under a different reference or the code under which it was built.

Rick Witt stated this dramatically increases what needs to be tested and annually inspected.

Sean Farrell stated he just wanted to add a comment that the edit group doesn't touch either one of these proposals.

George Hollingsworth said he believes we should carry forward because he is not here and give him the option to attend.

Carryover to the June workgroup meeting

F-703.4 cdpVA-15 Proponent: James Dawson
dawsonj@chesterfield.gov

Reason: This alternative proposal to Justin Biller's 703.4 proposals simplifies the flow of the SFPC and meets the objective of the original code change. It moves the testing requirements to a position that provides clear intent that the maintenance of opening protectives includes those types of protectives listed in 703.4, and provides the testing and maintenance standard (NFPA 80 specifically Chapter 5-Inspection, Testing, and Maintenance) for those fire resistance rated protectives...

Comments:

Carryover to the June workgroup meeting since there is no agreement and Justin Biller withdrew his similar proposal and is not present to comment.

F-1030.1 cdpVA-15 Proponent: Andrew Milliken representing Stafford County Fire marshal's Office
amilliken@staffordcountyva.gov

Reason: The intent of this proposal is to clarify that the requirements of emergency escape and rescue openings apply to R-4 occupancies...

Comments:

Andrew Milliken gave an overview of his proposal.

Consensus for approval

F-2311.7 cdpVA-15 Proponent: William Andrews representing City of Richmond Fire Marshal's Office
William.andrews@richmondgov.com

Reason: The 2000 IFC section 2210.1 and current state fire code section 2311.7 required repair garages to comply with this section and the IBC. Repair garages for vehicles that use more than one type of fuel shall comply with the applicable provisions of this section for each type of fuel used...

Comments:

William Andrews gave an overview of his proposal.

Haywood Kines stated that 511 International Electrical Code addresses both lighter than air gases and heavier than air gases for all motor repair garages. Ventilation requirements or ventilation methods that would allow you to declassify both areas for 4 air changes per hour. If they are changing and increasing the level of hazards it is a change of occupancy.

Andrew Milliken stated this language makes it clear. We need to identify this hazard.

Greg Revels said he is just looking for clarification between the building official and the fire official.

Cindy Davis stated that the lighter than air requirements in the building code, the issue seems to focus on the fact that fire inspectors won't know that there is certain safety precautions that have to be in place for working on vehicles with lighter than air. This needs to be a communication between the fire official and building official.

Non-consensus

F-3103.2 cdpVA-15 Proponent: Andrew Milliken representing Stafford County Fire Marshal's Office
amilliken@staffordcountyva.gov

Reason: The intent of this proposal is to eliminate conflicting language regarding when a permit is required. Section 107.2 of the Virginia Statewide Fire Prevention Code

indicates the criteria for when permits are required to be obtained from the fire official, including for temporary tents and membrane structures...

Comments:

Andrew Milliken stated there is pending work on the proposal and asked that it be carried over.

Carryover to the June workgroup meeting

F-3501.2 cdpVA-15 Proponent: Glenn Dean

Gad.pompier@gmail.com

Reason: Correct an omission from the '12 adoption cycle and to reference the proper permit section in Chapter 1. And to properly correlate the permit requirements with the table in Chapter 1.

Comments:

Glenn Dean said he would like to correct an omission. The Section number is needed to be changed to Section 107.2. cdpVA would not allow this.

Consensus for approval.

F-5706.1.1 cdpVA-15 Proponent: James Dawson

dawsonj@chesterfield.gov

Reason: Submitted on behalf of the Fire Services Board Code Committee. This replaces a previous proposal submitted to modify Section 2304

Comments:

Robby Dawson stated he is standing on his reason statement.

Linda Hale gave an overview of this proposal relating to her jurisdiction. This is a mobile gas station. Glenn Dean stated that there is a developing business model to go around filling up vehicles.

David Beahm stated that construction and farm vehicles are exempt. Jeff Morrow asked about his diesel truck filling vehicles.

Keith Chambers asked if someone wants to start a business model do they have this capability to do it. They can't make it protective and grounded?

Linda Hale stated it has to do with emergency shut-offs and protecting the public. Making sure there is no smoking around this procedure.

Mike O'Connor suggested looking up the Code of Virginia, Chapter 22 Virginia Fuels Tax Act. Cindy Davis read Section 58.1-2272. Prohibited acts; criminal penalties A.18. Delivering fuel from a transport truck or tank wagon to the fuel tank of a highway vehicle, except in an emergency.

Carryover to the June workgroup meeting

F-6701.2 cdpVA-15 Proponent: Glenn Dean
Gad.pompier@gmail.com

Reason: Correct an omission from the '12 adoption cycle and to reference the proper permit section in Chapter 1. And to make this section correspond to all other sections referencing permits to the proper table in Chapter 1.

Comments:

Glenn Dean said he would like to correct an omission. It should only have the 107.2 underlined and have 105.6 stricken from the IFC language.

Consensus for approval

M-104.5.4.3 cdpVA-15 Proponent: Sub-workgroup for Manufactured Home Parks
DHCD Staff Contact: Vernon Hodge vernon.hodge@dhcd.virginia.gov

Reason: This code change is submitted in response to HB 2203 (2017 session). There were cases cited to the General Assembly where manufactured home park operators had been cited for code violations that potentially impacted park residents and the residents had not been notified.

Comments:

Consensus for approval

M-202 cdpVA-15 Proponent: Phillip Storey representing Legal Aid Justice Center
phil@justice4all.org

Reason: This proposal responds to a recent administrative appeal decision by the State Building Code Technical Review Board (“TRB”). (Consolidated Appeals 15-12 and 15-13.) The appeals challenged the City of Richmond’s application of VMC § 105.1 to threaten with condemnation owner-occupied homes it claimed met VMC § 202’s definition of Structure Unfit for Human Occupancy (“Unfit”) because they lacked “primary heating systems.” The homeowners argued that, because the Board of Housing and Community Development (“Board”) had consistently amended the model maintenance code each cycle since 1990 to limit the requirement for heating facilities to only rented or leased dwellings (VMC § 602.2), owner-occupied homes could not be considered Unfit for local of a primary heating system...

Comments:

Phillip Storey was not present to give an overview of his proposal. He wanted to add the word “required” into the definition of structure unfit for human occupancy.

Ron Clements stated he has opposition to this proposal and the one that follows. The building code, the maintenance code, and the fire prevention code are about things that are built. The question is whether or not they are required.

Richard Bartell asked where is the schedule that tells you how to maintain it? John Walsh stated he is opposed to this proposal.

Consensus for disapproval

M-603.1cdpVA-15 Proponent: Phillip Storey representing Legal Aid Justice Center
phil@justice4all.org

Reason: Both the existing (2012) language and the amended language proposed in the VMC Rewrite Committee's document require full maintenance of installed mechanical appliances that are not required by the code, which could be costly and unjustified by health and safety concerns.

Comments:

Consensus for disapproval

M-606.1 cdpVA-15 Proponent: Emory Rodgers representing self
errpp1242@verizon.net

Reason: This section is being clarified that the owner has 3 separate options for displaying the elevator, escalator or dumbwaiter certificate of inspection.

Comments:

Emory Rodgers was not present to give an overview of his proposal.

Cindy Davis gave an overview. If not displayed in the elevator where is it?
When it is not displayed you have to know where it is. Change where to when.

Consensus for approval with a change to replace “where” with “when”

Commonwealth of Virginia, Department of Education

Subject: Frequency of Fire Drills and Lock-Down Drills During the 2016-17 School Year

Vernon Hodge gave an overview of this issue. There has always been a state law that addresses fire drills, however, it may not address lock-down drills. The SFPC also addresses this issue. The frequency of these drills is different in the Code of Virginia and the Statewide Fire Prevention Code.

Vijay Ramnarain with the Department of Education is here to address this issue. Last year the General Assembly enacted some modifications regarding this issue. The schools need to have clarification. It would be less cumbersome on the schools if we could align the fire code in accordance to what the General Assembly has requested.

Vernon Hodge explained that if you look at the Lock-Down Drill requirements in state law and in the Fire Code, the Fire Code really doesn't require a Lock-Down Drill. This is another discrepancy and he doesn't know the history of the legislation but it appears in reading it that the reason the Fire Drills were changed is because of the increase of the Lock-Down Drills in the law. We will work together.

Andrew Milliken asked what was the purpose and intent for the proposed frequency for fire drills. Why is this ok when it doesn't go along with national and international standards of the fire codes?

Vijay Ramnarain stated that he thinks that they looked at the total drills required. If you tally them based on what was required then and now it is the same number of drills. They have just changed the frequency and I think the intent was to make it less cumbersome on school districts. The legislature thought it was more important to have Lock Down Drills because of all the shootings that are happening in the schools around the country. Not to say that fire drills are less important.

Andrew Milliken asked why they didn't wait until it happened on the national level? He doesn't see the justification.

Glenn Dean stated that up until last year, from day one of the SFPC in 1988, this statutory requirement for fire drills under Title 22 has always been static. The Fire Code required more so when you comply with the Fire Code by default you were complying with Title 22. He thinks what the General Assembly is saying in Title 22 that we want you to decrease the number of Fire Drills and create drills for Lock-Down without increasing the amount of time being spent on drills. This is still not in conflict with the Fire Code.

Vernon Hodge stated the Fire Code is going to require more drills than the state law.

Robby Dawson said he was at the General Assembly and it was not their intention to decrease the frequency of Fire Drills. Linda Hale stated we have to realize we are dealing with children and they need frequency in order to understand the difference between the two drills. Andrew Milliken asked about tornado and earthquake drills?

Vernon Hodge stated that if the Department of Education wants to submit a proposal they can and we will work with you. May 26 is the deadline for submitting proposals.

R-102.2 cdpVA-15 Proponent: Kenney Payne representing AIA-VA
kpayne@moseleyarchitects.com

Reason: As a member of the team that developed the Jack A. Proctor Virginia Building Code Academy content for the rehab code training, and as one of its instructors for the rehab code, I have become aware of much confusion among the code officials, designers, and owners on how to apply the rehab code, especially when it comes to VCC Chapter 1, VRC Chapter 1, the VRC technical provisions, including how to apply the change of occupancy provisions. This proposal attempts to address those concerns and make the provisions more user-friendly and/or allow code officials the ability to properly interpret and/or enforce the rehab code.

Comments:

Kenney Payne gave an over view of his proposal.

Consensus for approval

R-301.1.1 cdpVA-15 Proponent: Kenney Payne representing AIA-VA
kpayne@moseleyarchitects.com

Reason: Various references to the *International Fire Code* are deleted when it is used in the context of “new” construction – which in these cases should be governed by the current *building* code and not the *fire* code. In some cases, such elements should be based on when the building was built and not based on the most recent version of the IFC.

Comments:

Kenney Payne gave an overview of his proposal.

Andrew Milliken asked what they meant by this. Construction?

Kenney Payne stated it shall comply with Chapter 4 IBC. Robby Dawson asked if we should take it out of IFC.

Andrew Milliken asked about scoring and indicated that he is in support of the committee’s effort.

Consensus for approval

R-302.3 cdpVA-15 Proponent: Kenney Payne
kpayne@moseleyarchitects.com

Reason: Per 2012 VRC 103.6, all references to “dangerous” and/or “unsafe” conditions in the technical provisions are not valid. Also, the VRC is not the vehicle to require such fixes, only the VMC, SFPC, or other legal means shall be used. IN other words, it is not the intent of the VRC to allow a code official to fix unsafe and/or dangerous conditions through the VRC.

Comments:

Kenney Payne gave an overview of his proposal.

Consensus for approval

R-302.6 cdpVA-15 Proponent: Ronald Clements, Jr
clementsro@chesterfield.gov

Reason: The provisions of COV 36-99.2 and VRC section 1701.17 are applicable to the replacement of glass. These provisions are not retrofit provisions because they do not require glazing to be replaced unless the building owner intends to replace the glass. Replacement of glass is either a repair or alteration regulated by the VRC or IRC. Since the requirement for replacement glass applies regardless of the compliance method selected the proper location for this Virginia amendment is VRC section 302, and VCC103.5 for one and two family dwellings.

Comments:

Ron Clements gave an overview of his proposal.

Consensus for approval.

R-402.5 cdpVA-15 Proponent: Kenney Payne representing AIA-VA

kpayne@moseleyarchitects.com

Reason: These are tantamount to a “retrofit” requirement (requiring elements in an existing building, even if the scope of work does not involve that portion or portions) and are noted as such in the 2012 Code Commentary because it is the desire at the national level to apply these provisions “regardless of whether an alteration, addition or change of occupancy is occurring.” This has not been the “Virginia Way” in the past (“if you don’t touch it, you don’t need to do anything”) and goes against the purpose of VRC 102.1 by requiring a scope of work that could go well beyond what was originally intended and thus become a costly and time-consuming imposition.

Comments:

Kenney Payne gave an overview of his proposal. Retrofit requirements are in their own chapters.

Non-consensus due to multiple comments about whether or not retrofit requirements were valid.

R-403.1 cdpVA-15 Kenney Payne representing AIA-VA

kpayne@moseleyarchitects.com

Reason: As written, it could be interpreted that an existing stairway would be required to be replaced unless the existing space did not allow such a new stairway, or existing handrails would need to be replaced. The intent is not to require replacement, as confirmed by the Code Commentary, but only IF replacing such elements, then the exceptions might apply.

Comments:

Kenney Payne gave an overview on his proposal.

Consensus for approval

R-404.5 cdpVA-15 Proponent: Kenney Payne representing AIA-VA

kpayne@moseleyarchitects.com

Reason: Requiring FULL compliance with current flood hazard area code requirements (e.g., raising an entire building or portion thereof) for ANY repair that constitutes a substantial improvement could prove to be onerous and would be contrary to the purpose of the VRC per VRC 102.1.

Comments:

Kenney Payne gave an overview on his proposal. This code change said that if not caused by flood then they shouldn’t have to raise the building.

Carryover to the June workgroup meeting

R-405.1.1 cdpVA-15 Proponent: Kenney Payne representing AIA-VA

kpayne@moseleyarchitects.com

Reason: Regarding 405.1.1: Such “new building” provisions are not necessary in an “existing” building code; otherwise, you could include such language throughout the entire VRC/IEBC. Regarding 405.1.3, 805.3.1.2, and 805.3.1.2.1: The original provisions do not take into account if you are just replacing or repairing an existing fire escape...

Comments:

Kenney Payne gave an overview on his proposal. Comply with requirements of the section.

Robby Dawson asked who would make the determination.

Andrew Milliken said in an ADA situation, the fire escapes need to be in good working order, you don’t have time to make plans. Robby Dawson asked about what is safe? He placed a public comment in cdpVA regarding 405.1.3.

Consensus of approval with revisions

R-408.1 cdpVA-15 Proponent: Kenney Payne representing AIA-VA
kpayne@moseleyarchitects.com

Reason: Regarding 408.1: The term “improvements” is not a defined term. Also, there are no provisions in the code that “require” improvements unless some form of construction is undertaken. However, this “section” does not actually “require” anything; thus, it creates a circular provision. The proposed language is similar to the language used under the 2012 VRC 408.1...

Comments:

Kenney Payne gave an overview on his proposal. Provisions aren’t needed unless it is a life safety issue.

Rick Witt said distinct should be struck. Kenney Payne stated he would strike distinct.

Consensus for approval with striking “distinct”

R-410.1 cdpVA-15 Proponent: Kenney Payne representing AIA-VA
kpayne@moseleyarchitects.com

Reason: Based on questions fielded during multiple presentations of this code to various code enforcement personnel, including the Code Academy Training Modules, it became apparent that some clarifications were required when dealing with accessibility in existing buildings, especially as it related to the route to primary function areas...

Comments:

Kenney Payne gave an overview of his proposal. This is getting closer to ADA standards. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of primary function.

Consensus for approval

R-803.2.1 cdpVA-15 Proponent: Kenney Payne representing AIA-VA

kpayne@moseleyarchitects.com

Reason: The term “All” is causing confusion because VRC 803.1 limits the scope to “work areas...and beyond the work area where specified” yet VRC 803.2.1 says “All.” So, is it “all” within a work area or “all” within a building? The 2012 IEBC Commentary says it means “all” within a work area. The relevant Commentary portions are provided below

Comments:

Kenney Payne gave an overview of his proposal. Deleting all.

Consensus for approval

R-804.4.1 cdpVA-15 Proponent: Kenney Payne representing AIA-VA

kpayne@moseleyarchitects.com

Reason: Cleans up this section by deleting all of the duplicated language (e.g., “a fire system shall be installed in” and “as required by the IFC”, which are (or will be) already stated in 804.4.1/charging paragraph) and sends you directly to the relevant and applicable section of the IFC.

There are no technical changes.

Comments:

Kenney Payne gave an overview of his proposal. Not a technical change. A fire alarm system shall be installed.

Robby Dawson withdrew his opposition.

Consensus for approval

R-805.5.3 cdpVA-15 Proponent: Kenney Payne representing AIA-VA

kpayne@moseleyarchitects.com

Reason: As currently written, the provision states that any other corridor opening shall be sealed. This is regardless of the level of protection that might already exist. So, an otherwise code-compliant opening or window would still need to be sealed. Sealing should only be required when such protection or rating is not already provided in accordance with the IBC.

Comments:

Kenney Payne gave an overview of his proposal.

Consensus for approval

R-808.2 cdpVA-15 Proponent: Aaron Greene

Aaron.greene@yorkcounty.gov

Reason: These definitions are pulled from the 2011 NFPA 70, “Health care Facility” is word for word, and “Patient Care Area” is the first sentence plus the informational note. Both are needed to understand the proposed change in section 808.2...

Comments:

Aaron Greene was not present to provide an overview of his proposal.

Steve Ennis asked if movables were to be sprinklered? Haywood Kines suggested this will open a can of worms. Ron Clements thinks this seems to be a change of occupancy this is retrofit requirement.

Consensus for disapproval

R-902.1.2 cdpVA-15 Proponent: William King

William.king@alexandriava.gov

Reason: An elevator car capable of accommodating an ambulance stretcher is a critical component of rapid and effective responses to medical emergencies. As a Level 3 Alteration of a High Rise building would represent a significant investment in the existing building, this appears to be a reasonable threshold at which to place a requirement for this type of upgrade. To minimize the burden, an exception has been provided if the existing shaft is too small to allow for a compliant elevator car to be installed.

Comments:

William King was not present to provide an overview of his proposal.

Kenney Payne asked how this requirement gets done. David Beahm asked if the Rehab Committee has looked at this proposal. Kenney Payne indicated that he was not sure.

Ed Rhodes asked if the ambulance stretcher was raised or lowered. It does make a difference in size.

Chris Snidow asked about elevator shafts sized for two elevators in one shaft and then replacing only one elevator. Does that mean you can now only have one?

Carryover to the June workgroup meeting to allow review by the VBCOA rehab committee.

R-902.1.3 cdpVA-15 Proponent: William King

William.king@alexandriava.gov

Reason: This section is to clearly require that a fire command center be installed in high rise buildings. These command centers are critical to addressing the specific challenges associated with significant events within these massive structures. As this requirement is limited to Level 3 alterations and above, it is only required where the majority of the building is undergoing significant construction or change in use.

Comments:

Carryover to the June workgroup meeting to allow review by the VBCOA rehab committee.

R-1001 cdpVA-15 Proponent: Ronald Clements, Jr.
clementsro@chesterfield.gov

Reason: 1001.1 and the exception to 1001.2.1 the exception to 1001.2.1 for historic structures is misplaced because section 1205 applies to all *change of occupancy* conditions, not just when there is no change in classification.

Comments:

Ron Clements gave an overview of his proposal.

Consensus for approval

R-1002.1 cdpVA-15 Proponent: Kenney Payne representing AIA-VA
kpayne@moseleyarchitects.com

Comments:

Withdrawn

R-1012.4.1 cdpVA-15 Proponent: Kenney Payne representing AIA-VA
kpayne@moseleyarchitects.com

Comments:

Withdrawn