

**Workgroup 2, Fire Code Edits
Henrico Training Center
May 31, 2017**

Summary Notes

Cindy Davis welcomed everyone, gave an overview regarding the code change process and then had the attendees introduce themselves.

606.12.4 Toxic and highly toxic refrigerants

Robby Dawson stated that he along with the rest of the Fire Services Board Committee believe this is an operational issue in dealing with ammonia refrigerants not necessarily how you build it. This is why we struck the construction piece as the approved system is built within 606.12.6.

Cindy Davis asked if their intent for the new #2 was if it was installed in accordance with the code in which it was constructed was good to go. Robby Dawson stated if it was approved then it is fine.

Kenney Payne stated we started on 606.12.4 and are pointing to 606.12.5, did we skip 606.12.4?

Richard Potts stated that 606.12.4 FSB version had no change. Cindy Davis stated let's make a decision on 606.12.4 as to whether this language should be stricken or whether it should have no change.

Robby Dawson stated again that it is an operational issue and he still has a concern of the statement "maintain in accordance with the applicable building code". This phrase is throughout the document, if you are looking at it, you need to maintain it now, and have to look to the building code for the inspection services and testing which doesn't exist in the building code.

Rick Witt asked wasn't this determined right up front code when the building was built what system was to be used?

Jay Davis stated there are a lot of questions about maintained or operational. It looks like you guys have taken it out and the FSB Committee is looking at it as an operational function. His question to the group is does DHCD see 606.12.4 as a function of the building code to apply something to this and that it is not an operational function and we are looking at it as if we find this being vented, this is an operational that we need to have this corrected and stopped because this is a distinct difference.

Cindy Davis said there are two very different scenarios where this may apply. How do you capture that because if there is a refrigeration system that was approved 20 years ago and has been maintained it seems inappropriate to actively say you can no longer use this system. Separately, if you have a system that you are operating incorrectly that is now an operational issue of that equipment, it is a challenge capturing both.

Jay Davis said that was a good explanation and the reason this was not stricken in the FSB edits is that we need to be able to do something about this. He thinks this will help the rest of the day if we can get this figured out. Cindy Davis stated that she thinks we are in agreement, however the language on the proposed phase gives you the ability to capture that.

Andrew Milliken stated the proposed phase language doesn't give you any indication that discharging to the atmosphere is what is appropriate and what is not. The FSB edit states that refrigerants shall discharge vapor to the atmosphere only through an approved treatment system and no other additional requirements are needed. This does both. The proposed phase language does not do both. We need guidance for the discharge.

Cindy Davis asked if we take out the 6.6 pounds and place "approved" in the proposed phase language, approved refrigeration discharge system. It indicates they had to have been approved at the time the building was constructed or at the time the system was installed. Andrew Milliken stated that if not approved, we need language.

Robby Dawson stated that going back to the problems with some of the changes that degrades our authority to enforce a fire safety code. We go to a facility that is discharging highly toxic refrigerants, not through an approved treatment system; we write them that they are in violation of 606.12.4. Turn this around and 2 or 3 years from now they are doing the same thing but they are not in violation of 606.12.4 because we cannot enforce the applicable building code. There is nothing left to enforce. The system may have been approved but they are discharging through another pipe before it gets to the system. What does he write a violation on?

Cindy Davis stated they are not discharging through an approved system. They are illegally discharging.

David Beahm stated that the issue with withdrawing in the proposed phase language is the building code was approved under; it may have contained a UL standard for that approved system. It may no longer carry that UL approved standard or does no longer exist. It is no longer approved under the current code. It doesn't mean it is not effective it just means that they no longer chose to update their UL standard and pay the fee.

Kenney Payne asked what if a code 20 years ago said systems containing more than 10 pounds shall be discharged through a pipe and not the atmosphere. New codes seem to get more stringent so his understanding is if Fire Services is using current codes to regulate older systems, is this what they are doing and is this what we are trying to fix?

William Andrews stated the building code approved this system 40 years ago; it is a closed system and there is no built in means of discharge. The discharge comes around and needs to be replaced as part of the maintenance code. Now they have to discharge the toxic material that was not a part of the system that was under the building code.

Chris Anderson stated we have several that we inspect annually. Today he goes in and sees that the system is fine, it is in compliance with no issues. Next year when I go back, he sees that lack of maintenance is causing issues. This is when he would write a violation. I would prefer the proposal of the FSB edits.

Jay Davis stated he is concerned about the proposed phase language and feels we are removing something that gives us some ability to recognize that there is a problem and we are going to cite the code so that you cannot continue to do this. Can the proposed phase language explain to us how this is not enforceable?

Cindy Davis stated that Kenney Payne explained it best, what if the code in which it was originally installed allowed 7.5 lbs. and now you are going into this building which has been operating illegally and say this system is in violation because you have more than 6.6 lbs. of refrigerants in your system. This would be a retroactive reduction and a retroactive notice of violation given to a system that is legal.

Jay Davis stated we would then send them back to the building official to get approved or stop the operation. We can cite what is on the FSB edits.

Linda Hale stated that if it was 7 lbs. it would still have been through an approval process. Leaving it in place does not negate that. What it does is makes it so that we are not looking at systems that are 1.5 (smaller quantities) of toxic refrigerants. There is no retrofit in there.

Jay Davis asked why we don't have consensus.

Sean Farrell stated the trigger for you to implement this section is simply 6.6 lbs. in today's code. Now you have a moving target. If you get rid of this prescriptive language and address it in a more global manner, I don't think you are going to have that argument.

Andrew Milliken stated the 6.6 lbs. is where we pay attention to the issue, not where we change something. Now we have to compass all amounts.

Shaun Pharr stated it is not saying all systems, only toxic or highly toxic refrigerants discharge. Those methods have to be maintained in accordance with the code under which it was initially installed. This seems clear. It gives the fire services official the ability to make the call.

Rick Witt said he agreed with Shaun. He thinks the 6.6 lbs. is the problematic part. You are establishing a threshold.

Linda Hale said to take out the 6.6 lbs.

Cindy Davis asked if this is what she is saying, “systems containing toxic or highly toxic refrigerants shall discharge vapor into the atmosphere only through an approved treatment system”... Linda Hale said yes.

Robby Dawson stated just as long as everyone understands this expands the scope of the code.

Sean Farrell said it not just taking it out it is replacing it with something that is all encompassing. You can say something like systems containing more than the allowable toxic or highly toxic refrigerants shall discharge.

Non-consensus

606.12.5 Ammonia refrigerant.

Non-consensus

606.12.6 Treatment systems.

Non-consensus

606.12.7 Flaring systems.

Bill Aceto asked regarding the proposed phase language is this in the mechanical code or are we sending this to nowhere?

Cindy Davis stated it depends when it was constructed.

Jay Davis stated his concern was over growth around this building and now you still have an approved system operating but the concern is that it could affect another building. The building code doesn't address this. When we see another building being built next door, we are going to look at the operations and see if it would be acceptable or if there is a need to go back to the building official to get approval for another system approved.

Cindy Davis stated that every system, discharge and opening in the existing building should be looked at as part of the permit system because there are requirements for where that discharge can be located.

Jay Davis asked what is the unenforceable one in the FSB edits. Cindy Davis stated it is the retroactive requirement.

Kenney Payne asked has it always been required to be automatic upon initiation of discharge. Have you always had to have standby power?

Cindy Davis stated it may have at the last code iterations, but maybe not before that. Do the unsafe provisions provide recourse for when that may happen?

Linda Hale said it may mean that in Chapter 1 other laws are enforced. We may have to go to DEQ.

Non-consensus

606.12.8 Ammonia diffusion systems

Linda Hale stated that if the tank freezes it will cause a significant hazard. Cindy Davis asked what the application is of an ammonia diffusion system operation. David Beahm stated it is a refrigeration system.

Shaun Pharr said by keeping the proposed phase language you are mandating their applicability to ammonia diffusing systems that were built under a different code.

Bill Aceto asked what if there wasn't any code for these. Codes have changed and we need to address this. We need to progress. Do you want to maintain a hazard in a building by ignoring it?

Kenney Payne said he doesn't disagree we have to be careful. 20 years ago we were allowed to have open stairways but now we have discovered they need to be closed. We have widened all doorways. We need to discover things before a need arises. Robby Dawson stated there is a difference in stairways and a hazardous material issue.

Andrew Milliken stated we are trying to provide the owners of the building to understand their requirements and the inspectors to understand their requirements or are we going to tell them to go to 3 different books which may work if you are sitting behind a desk somewhere. It is not the most effective way to identify a hazard.

Kenney Payne stated that his understanding was this will be in an appendix, so it will be in the book. The language is there for you to reference. Robby Dawson stated it is not in the Fire Services Board version.

Non-consensus

606.13 Discharge location for refrigeration machinery room ventilation.

Bill Aceto stated may we can use this scenario in a lot of sections; if we keep all the language there, and then say (before maintained) "or be maintained if addressed in the applicable building code." If this is there in the applicable building code, then they use that; if not addressed at all they use our information. Is this a possibility? Cindy Davis explained the problem was statutorily the way it was written.

David Creasy said he understands that we are taking out unenforceable language but can we keep existing language that may be referred to if the system is existing it shall be maintained in

accordance with the building code or maintenance code. He thinks we are doing our customers a disservice doing this.

Cindy Davis explained that from the very beginning the workgroup suggested that current language be retained in the appendix. If you cannot retroactively require someone to put in a larger tank or apply those tanks specifications to an existing system then those prescriptive requirements should be moved as they would only be applicable to current installations. The only thing we are trying to do is to remove the prescriptive requirements that are only applicable to construction and put them in the appendix and make it clear that existing systems have to continue to be maintained in whatever the prescriptive requirements were at the time they were installed.

David Creasy asked if we could add that statement to the code and stripping everything else out and leaving maintained in accordance with the applicable building code.

Cindy Davis stated the way it has to be installed with new construction that language is still there. The reason is because the building code and mechanical code for these systems reference the International Fire Code for installation of new systems. The requirements don't go anywhere because we are not changing the IFC. It is a reference document for construction. The only thing we are changing is the Virginia Statewide Fire Prevention Code because of the way the state law is written which limits its application to maintenance and operation only.

Brian McGraw stated just to go back regarding the issue with that whole concept, at what point does the International Fire Code get reviewed to insure that what is being required with that and does not conflict with other Virginia law? Cindy Davis stated we are not doing anything with the International Fire Code. We have MOU's with DEQ and those are addressed separately. They don't have anything to do with the SFPC.

Brian McGraw said we are adopting the IFC as a reference design standard lock, stock and barrel. There are requirements in the IFC that have operational requirements for fire departments. Yet, you are not giving the fire service any opportunity to weigh on this and to amend that reference document so that it gets incorporated into the construction. Cindy Davis explained that anything operational will stay. We are using the 2015 Fire Code as the base document. The only thing being removed which could be perceived as retroactive requirements relating to construction or installation that would not be applicable at the time it would be maintained. Operations of the fire department are not changing. The operations stay in the SFPC.

Brian McGraw stated the building code references in your world the IFC for certain construction requirements. Some of those construction requirements have operational implications on fire department operations. Yet we, fire services, are not being afforded an opportunity to make state-wide amendments to address the way the fire service in Virginia operates to impact new construction. Because we are taking that code book off the shelf with no amendments and no opportunities to do an amendment.

Rick Witt stated he could submit a code change to the IFC just like you would to the IPC or the IMC or any other standard. Nothing prevents you from doing that.

Brian McGraw stated he was aware of this, however, if he makes a code change today it would take 6 years before any version of it shows up in Virginia. Still there are local operational issues, construction related, that we are not having an opportunity to have a voice in.

Shaun Pharr said if this is the case, your beef is with the General Assembly. The ICC codes do not have a clean division that is mandated by the Code of Virginia. You have a lot of stuff in the IFC that has implications for design construction installations. The Code of Virginia does not allow this. If I'm a big user, and you come in and tell me my system that when it was designed and built by code required less than 1 gallon per pound and now you are telling me I have to meet this current code requirement and there is significant cost involved, I'm going to fight you on this. You are going to lose because the Code of Virginia says that you can't have this stuff in the SFPC, it is unenforceable.

Linda Hale stated she did not agree with this statement. The point of this was to remove the unenforceable items.

Andrew Milliken asked why it was un-statutorily appropriate to add this term unless approved by the applicable building code.

David Beahm stated if it was not addressed in any of the building codes, this is what you are required to do.

Cindy Davis stated if a code requires XYZ back to the 70's that it has to be in accordance with whatever was in effect at that time. If nothing was in effect at that time, that addresses those systems, then that should apply. From a statutory perspective, the SFPC cannot affect a method of construction. Whether or not any code existed at the time something was legally constructed, it can remain so in Virginia until something changes.

Andrew Milliken stated we have never applied a construction provision to this section.

Linda Hale stated that 606.12 and 606.13 are very similar. What is the difference in the two?

William Andrews said the FSB edit talks about the exhaust itself. The proposed phase language talks about the system. He doesn't believe there's anything in the building code that talks about the exhaust.

Cindy Davis stated this was about the discharge location.

Rick Witt stated the FSB edit is fine.

Kenney Payne asked if the proposed phase language is inconsistent with what we have seen.

Robby Dawson stated he thought through the ICC it will be updated. The federal gets updated differently. In the FSB add the word “Treatment system for exhaust...”

Shaun Pharr said unless you delete “capable of exceeding 25 percent of the LFL or 50 percent of the IDLH” and say systems shall be maintained in accordance with... Otherwise you are looking at capacity standards from current code.

Andrew Milliken stated again these thresholds are where you look for the problem that can be retroactively applied. Overtime we can change at what point we look for the problem and then fix or modify the problem.

Rick Witt I don’t see any installation issue with this one.

Consensus FSB edit with the insertion of “for” exhaust from mechanical ventilation systems. Also, the terminology for applicable building code is yet to be determined.

606.16 Electrical equipment

Non-consensus

607.1 State amendment

607.2 Standby power

Consensus FSB edits

607.2.4 Machine room ventilation

Consensus FSB edits

607.4 Fire service access elevator lobbies

Consensus FSB edits

607.5 Occupant evacuation elevator lobbies

Kenney Payne stated the proposed phase language doesn’t address the storage part.

David Beahm stated he objected to the FSB edit. If it was allowed in the building code for a specific reason, it should be allowed.

Vernon Hodge stated if the evacuation elevator was required, it doesn’t make any sense. Edits were inappropriate.

David Beahm stated he agreed with the proposed phase language not being appropriately placed but don’t agree with the removal of the code provision at all.

Andrew Milliken asked do you feel if the one on the right remains (FSB edit) elevator lobbies you are not going to be able to have furniture. Is this your concern?

David Beahm stated if it was allowed under the building code when it was constructed now we are imposing something new that was not allowed at that time.

Andrew Milliken stated this is not a retroactive issue. David Beahm stated he still disagreed.

Kenney Payne said the proposed phase language does not address this.

Robby Dawson asked when you give a co for a building; do you require the furniture to be in place first before issuing the co? David Beahm answered no. Robby Dawson said therefore the storage of furniture anywhere in the building is not within the scope of the building code.

Both move forward as Non-consensus

Shaun Pharr asked if he could have submitted plans that show the occupant evacuation elevator lobby where I also indicated that I was also going to use some storage space. I think we can tweak the FSB edit. He thinks we could say “with storage or furniture shall be maintained with an applicable building code.”

Andrew Milliken stated a modification trumps the applicable building code. Linda Hale stated this is not an exception to the rule. This is a basis of the whole code section we are looking at.

David Beahm stated to add the language at the end and he would agree. Robby Dawson asked if the building code allowed storage. Vernon Hodge stated the building code can grant a modification.

607.6 Water protection of hoist way enclosures Pending definition of building code.

608.1 Scope Consensus FSB edit, pending definition of building code

608.4 Room design and construction Consensus FSB edit, pending definition of building code

608.6.1 Room ventilation Consensus FSB edit, pending definition of building code

608.6.2 Cabinet ventilation

Sean Farrell stated if you un-strike 608.6.1 it points you back to the applicable building code under which it was constructed.

Kenney Payne said doesn't this again establish a threshold.

Consensus FSB version item #2 unstruck

608.6.3 Supervision

Consensus FSB edit, pending definition of building code

608.8 Seismic protection

William Andrews stated if it is there, it has to be maintained.

Non-consensus

Robby Dawson said the building code didn't require seismic protection.

Brian McGraw asked if a customer needed to change out batteries do I need a building permit for this or is this considered a furnishing change out.

Cindy Davis said this would be a change out and David Beahm stated if it has to do with the seismic portion of it, yes it would require a permit.

608.9 Smoke detection

Brian McGraw stated if we remove the language, on the left, saying "if it is in a room containing stationary battery systems" then there is no reason for it at all. Chapter 9 will address this.

Andrew Milliken stated the proposed phase language is not relevant; Chapter 9 needs to be referenced here. Cindy Davis said the criteria for the maintenance are in a table in Chapter 9 to address this.

Robby Dawson stated he goes to Chapter 9 to find out about the maintenance and he goes to the building code to find nothing about this. If not provided no maintenance is needed.

Consensus FSB edits

609.1 General

Robby Dawson said this is the code that we enforce not the building code. It has to be maintained in accordance with the building code, the maintenance, cleaning, testing, inspection, etc. This is what applies to the maintenance of the commercial kitchen exhaust hoods.

William Andrews stated the proposed phase language only deals with buildings whereas the FSB edit deals with the Mobile Food Preparation Vehicles.

Cindy Davis questioned if the intent is to apply these sections only to Mobile Food Preparation Vehicles shouldn't they be the same.

Rick Witt said when we get to 609.2 this is where the difference is, it takes all the kitchen hoods in buildings out and applies this to food trucks only.

Sean Farrell stated Section 609 applies to all commercial kitchen hoods but the only time it is required in accordance with this code is in Mobile Food Preparation Vehicles.

Vernon Hodge said this is a new subject matter that we aren't supposed to be addressing now.

Robby Dawson stated this section has to stay. We need to correlate this with the Mobile Food Preparation Vehicles proposal.

Kenney Payne said I think one works but only if you put in 2.

Andrew Milliken stated if a business uses a deep fryer without a hood in the building, he doesn't see the fire official able to stop the operation. 609, the proposed phase language, mentions the kitchen exhaust hoods. This means you have one. He doesn't see either of these proposals working.

Rick Witt asked can you not site this under an unsafe condition. It is an unsafe condition.

Andrew Milliken stated we have a model code, if we don't have a SFPC stating grease and vapors offers a hazardous condition. He doesn't think just saying an unsafe condition would work.

David Beahm stated he with cite it under 609.2 under an unsafe condition because it is required under the building code. If it is producing grease and vapors it is unsafe.

Brian McGraw said if he used his George Foreman electric fryer at 7-11, that is a domestic appliance for commercial use that does require a hood. The George Foreman does not require a permit because it is a portable piece of equipment.

Vernon Hodge stated this is an issue that has come up a lot; we worked on the definition of a change of occupancy at the national level to encompass these things. If the building code applies to it, you don't want to say the same thing in the fire code. You have to defer to the building code. How does the fire official get involved in it? The building official can delegate the authority to the fire official to deal with this situation by putting on his building code hat and writes a stop work order. Another way is under the General Hazards Provision under the fire code. If a change of occupancy has occurred, the fire official has the authority to raise the red flag. He is going to stop them until they go to the building official.

Andrew Milliken stated he would not agree on either of these proposals today.

Cindy Davis stated if we deleted "where required" and it just talks about the operation and maintenance of required type 1 hood systems.

Andrew Milliken stated that if you have a hood then we through maintenance in and we are fine. If you don't have a hood, that's the problem.

Rick Witt said in 609.2 if we could say change in cooking operation shall require a permit or reference back to the building code official.

Blake Toepke said he wasn't telling them to put the hood in they just can't keep cooking without it.

Sean Farrell said if you could change the title to prohibited – commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors without approval shall be prohibited.

Andrew Milliken said starting with “all commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors shall be maintained in accordance with the building code, changes in the equipment for operations without prior approval and permits shall be prohibited.

Kenney Payne said isn't this section about the hood itself? Sean Farrell said the trigger is newly introduced.

609.1 and 609.2 will come back at the next edit meeting.

610.7 Electrical equipment

Robby Dawson said talking with a colleague, it was stated that 70B captures the maintenance provisions.

Consensus with reference to NFPA 70

First 2 sections in 701 are the same in both

703.1.1 Fireblocking and draftstopping.

Andrew Milliken stated the proposed phase language doesn't address the unenforceable provisions or construction related provisions.

Robby Dawson also stated there is another proposal in for tweaking this a little.

Robby Dawson and Sean Farrell worked on this proposal and are both fine with the language. Let this go (FSB edit) and see how it ends with the code change system.

Consensus FSB edit is pending on the outcome of the code change process.

704.1 Enclosure

State Amendment

704.2 Opening protectives

Consensus FSB edits

803.1 General Interior wall and ceiling finish and trim in buildings

William Andrews stated the FSB edit should be grouped and classified as ASTM E84

Robby Dawson stated there are things that get added into the room after the co that doesn't require a permit.

David Beahm asked if this goes forward does this still deal with the pending building code definition.

Sean Farrell stated "provisions of this section shall... in existing buildings."

Andrew Milliken stated there is a difference in existing and new buildings.

Carryover, All 803 pending with Rick Witt's changes

803.1.1 Classification in accordance with ASTM E84

Chris Anderson gave an overview of a problem they had in Hanover County dealing with untreated pallets covering the ceiling. The building official gave the business owner a modification. If approved by the building official, we have no jurisdiction. We pushed forward to get them removed.

David Beahm stated in this situation, if they were up originally and then had 3 that were damaged, would it then be a violation because it wasn't approved by the building official?

Vernon Hodge stated if something is an alteration they need approval and a permit to do so unless there is a permit exemption. There are no permit exemptions for alterations to interior finish in the building code. The fire official could say it looks like you have done something that requires a building permit.

Andrew Milliken there has to be a balance between the two.

Linda Hale gave an overview of a problem she had in Loudoun County regarding material or felt installed on the walls of an old movie theatre.

Cindy Davis questioned if standards cannot be applied to old existing buildings, how do you get to newly introduced?

Sean Farrell stated 803.5.2 talks about newly introduced materials; this is the governing section for newly introduced.

Robby Dawson said this newly introduced could be added into 803.1.1. This is old but it is not original equipment therefore 803.1 applies.

Cindy Davis asked Kenney Payne how does the pallets on the walls or ceilings or fabric wall coverings apply to the rehab code. Kenney Payne stated his opinion would be that this is an alteration. It references the work area or the IBC. You cannot make it less conforming by what already exists.

Robby Dawson stated that all renovations may not get approved.

Rick Witt said maybe a place in 803.1 should say “changes to any of these either have to meet applicable building codes or the provisions in this section.”

Vernon Hodge stated alterations have to apply with the building code. If you say “not allowed to make alterations unless approved by the building official.” You have to be careful how you word it.

Kenney Payne suggested using existing building code as a starting place. Introduce the definition of alterations in this? What does newly mean?

Sean Farrell stated that in the building code, there is a definition of ordinary repair that relates to interior wall and ceiling finishes. Class C interior wall for ceiling finishes installed which includes A, E and I and replacement of all classes of interior wall or ceiling finishes in other groups. Class C only applies to a couple of use groups. If you are replacing Class C materials, you need a permit. If you are changing a classification you need a permit.

All 803 pending with Rick Witt’s changes

All 804 pending with Rick Witt’s changes

805 Upholstered furniture and mattresses in new and existing buildings.

Consensus FSB edits

805.1.1.2 Heat release rate

1. Exception

Using NFPA 13

2. Exception

Mike Perdue stated it is more dangerous today than in the past. The risk is higher to the occupant.

Consensus FSB edit

805.1.2.2 Heat release rate

Consensus FSB edit

805.2.1.2 Heat release rate

Consensus FSB edit

805.2.2.2 Heat release rate

Consensus FSB edit

805.4.1.2 Heat release rate

Consensus FSB edit

805.4.2.2 Heat release rate

Consensus FSB edit

806 Decorative vegetation in new and existing buildings

No changes

807 Decorative materials other than decorative vegetation

Kenney Payne asked if we made a state amendment to the IBC does this automatically get picked up in the IFC.

Vernon Hodge stated only through the standpoint of the Scope where it says you need to maintain buildings in accordance with the code they were approved under. If they see something that is not being maintained, then they can say you are not maintaining it.

Kenney Payne stated he had a code change under 2009 dealing with these exceptions but I don't see them here, on either side.

Consensus FSB edits

807.3 Combustible decorative materials

Consensus FSB edits

NFPA vs applicable building code

807.5.1.2 Motion picture screens

Consensus FSB edits

807.5.2.1 Storage in corridors and lobbies

Consensus FSB edits

808 Furnishings other than upholstered furniture

NFPA vs applicable building code

Consensus FSB edits

901.1 Scope

Same in both versions.

901.2 Documents

Rick Witt stated that nothing says you are required to keep the documents from an owner's perspective after the building is built. We can get rid of residential in one year and commercial in three years from the date of the co.

Brian McGraw stated a code change proposal has been introduced to require that.

Kenney Payne asked if the term exist means in possession. The reason he asked is they may exist but ours are purged.

Robby Dawson said here is the problem. We are required to maintain the system in accordance with when it was built so how do I get this information.

Kenney Payne stated we don't have a duty to you; we have a duty to our client. There may be confidentiality requirements involved.

Andrew Milliken stated by requiring building owners to give the fire officials building records is critical at times.

Brian McGraw said at what point does the owner assume responsibility for maintaining records of his building and knowing what is in his building?

Andrew Wilson stated we had this exact discussion in this same room about 6 months ago and the consensus after this discussion was this requirement was to provide any documents they had to the fire officials. The building owner needs to know what is in his building. If the building owner can't show us that's the way it was approved, what do we have?

David Creasy stated this is a minimum code and we sit here and argue about these words and we are forgetting about the real purpose. The purpose is to protect lives and property and yet you don't understand the real purpose of these codes.

Vernon Hodge said he doesn't argue that there is some need for finding a way to keep construction documents but you need to understand in Section 901.2 in the IFC is not about existing buildings and construction documents. It was put in the IFC because the IFC is a construction book as well as a maintenance operating book for construction provisions because the fire officials serving as a building official issuing the permit for installation, rehabilitation or modification of any fire protection system. The model code is not applicable in Virginia. That wording was not used for what we are trying to do.

Shaun Pharr stated he doesn't dispute that permits are needed for installation, rehabilitation or modifications and that drawings are required for permit issuing, just can't understand why departments can't resolve this issue.

Andrew Milliken stated he had 2 things, one, for all smoke control systems and fire protection systems, and two, Vernon is absolutely correct except for the fact that Virginia decided to take out the requirement in Chapter 9 of the construction code that says you should coordinate or provide documents to the fire officials. This section is important to say the fire code officials need these documents.

Robby Dawson stated ditto.

Brian McGraw asked how many MOU's I need to write to get access to these plans. Remember I am responsible for 67% of the land mass in the state. It comes back to the issue at what point does a building owner have responsibility to know what is in his building approved and what in his building needs to be maintained and be able to prove it.

David Creasy said we are sitting here talking about something that could happen and there is something here before us that needs dealing with. We need a document that clears this up.

Non-consensus

901.2.1 Statement of compliance

Same in both versions.

901.3 Permits

State amendment

901.4 Maintenance

Pending definition of applicable building code.

901.4.1 Required fire protection systems

Andrew Milliken said there are exceptions that if you have a fire suppression system sprinkler system, you can extend your access to 250’.

Sean Farrell said and the code allows you to discontinue non-required parts so he sees where this is very beneficial.

Robby Dawson said he wants this to stay. The building code needs to be changed to reflect this.

Consensus FSB edits and needs correlation with USBC

901.4.2 Nonrequired fire protection systems

State amendment

901.4.3 Fire areas

Consensus FSB edit with pending definition of building code

901.4.6 Pump and riser room size

Shaun Pharr asked about what is sufficient.

Rick Witt stated some things are problematic such as or replacement without removing elements of permanent construction.

Linda Hale stated it says without removing such elements of permanent construction. You have to be able to maintain it.

Robby Dawson stated the proposed phase language on the left side says they have nothing to help them.

Rick Witt asked if we say “clearances around equipment shall be maintained to allow inspections for repair or replacement.” This gets you to where you want to be.

Andrew Milliken stated an access panel is what we are trying to get to. You need to have an access door for routine inspections or repair.

Consensus FSB edit

901.5 Installation acceptance testing

Pending, need to revisit.

901.5.1 Occupancy

Andrew Milliken stated the building official has the ultimate authority but the fire official can take you to jail.

Kenney Payne is this dealing with initial occupancy or occupancy after it has been occupied?

Rick Witt stated he believes it is post occupancy. The building official can go get an injunction to get someone out of the building. You may want to authorize temporary occupancy.

Sean Farrell said the Scope of the SFPC is for existing buildings that already have occupancy.

David Creasy stated he had an incident where the building official was not there. The building official only comes out during scheduled work times not on overtime.

Andrew Milliken said the fire official has authority to evacuate the premises, issue summons and take strong and effective actions.

Jay Davis gave an example regarding an assembly building and they decided they wanted to have a concert with smoke machines and they turn the system off. They did not get permission from the building official. The fire official found out because it happened at night. Our options are, stop what you are doing, you have violated this section. This is the section he is going to cite for public safety.

Chris Anderson stated this section also applies to vacant buildings that have been vacant for years. People are occupying these buildings without going through the building official, fire official or building or zoning departments. This is the avenue we use until they get systems tested and inspected.

Vernon Hodge said in 901.5 (proposed phase language) was not addressed; it appears to deal with new construction. In existing buildings Chapter 1 of the current fire code has two sections 110.3, 110.4 and 110.5 which clearly deal with evacuation measures. It is different from the model code.

David Creasy stated he didn't think Chapter 1 was their best route. The city attorney would rather you use a chapter like this.

Kenney Payne stated this is about installation testing.

Keith Chambers stated we have used this in accordance with the building dept.

Richard Furr said it is not just installation.

Brian McGraw stated 901.5.1 specifically applies to new buildings or buildings being renovated and the system has not yet been approved by the building official for a certificate of occupancy. It does not apply to Jay's example of the building with smoke machines that would be 901.7. I think this one is important for a building under construction and don't have permission from building official, this gives us a ticket specifically for systems that haven't been completed.

Vernon Hodge stated it depends how you read our state law. He believes the board may be ok with a coordination of the building official and the fire official. The state law says very clearly that the fire code doesn't come into effect until after the building is completed and the certificate of occupancy is issued.

Rick Witt stated we may need to make some changes in 901.5 and 901.5.1.

Andrew Milliken asked that we leave it in there for new construction until we can correct on building construction side. Maybe a code change.

Kenney Payne said we need to be careful in the language.

Pending revisit of 901.5 and 901.5.1 (Rick Witt to work on this)

**901.5.2 Hydrant and fire service main acceptance testing
Consensus FSB edits**

**901.6 Inspection, testing and maintenance
State amendment**

901.7.1 Modifications during impairment

Robby Dawson stated we need something as a reference so this is why we stated modifications during impairment.

Kenney Payne asked if the fire alarm is considered a safeguard.

Consensus FSB edits

901.8 Removal of or tampering with equipment

Consensus FSB edits pending definition of applicable building code

901.8.2 Removal of existing occupant-use hose lines

Consensus FSB edits pending definition of applicable building code

901.9 Termination of monitoring service.

Keith Chambers said if it is not required by the building code they don't have to notify the fire official.

Cindy Davis stated maybe it should say "as required by the applicable building code."

Sean Farrell said he can solve this, 901.4.1 we already accepted this. This code or the building code.

Consensus FSB edits, pending definition of applicable building code

903.1.1 through 903.2.11.1.3

Same in both versions, except FSB version does not have an appendix N

903.2.11.2 Rubbish and linen chutes

Consensus FSB edits

903.2.11.3 through 903.2.11.6

Same in both versions, except FSB version does not have an appendix N

903.2.12 During construction and demolition

Consensus FSB edits

Robby Dawson stated the pointer is Chapter 33.

903.3 through 903.3.5.2

Same in both versions, except FSB version does not have an appendix N

903.3.6 Hose threads

Consensus FSB edits

903.3.7 through 903.3.8.4

Same in both versions, except FSB version does not have an appendix N

903.3.8.5 Calculations

Sean Farrell asked what happens if the water supply is no longer sufficient.

Andrew Milliken said take a look at NFPA 25. It is written to deal with existing buildings.

Consensus FSB edits

903.4 through 903.4.3

Same in both versions, except FSB version does not have an appendix N

903.6 Where required in existing building and structures

State amendment

904.1 General

Same in both

904.1.1 Certification of service personnel for fire-extinguishing equipment

Robby Dawson stated they struck governmental because there was no true governmental agency board that certifies this.

Brian McGraw stated this has nothing to do with acceptance testing.

Rick Witt asked about plumbers.

David Creasy stated they are in the middle of a deal right now. Our folks are certified but we can't certify someone. We are protecting the consumer.

Consensus FSB edit, check for legal authority

904.2 Where permitted

Consensus FSB edits

904.2.1 Restriction on using automatic sprinkler system exceptions or reductions

Consensus FSB edits

904.2.2 Commercial hood and duct systems

Sean Farrell stated we need to revisit because we wanted to broaden the scope in 609.2 but with this section it makes it problematic.

Consensus FSB edit, correlate with 609.2 mobile food trucks. (Pending Rick Witt's re-write)

904.3 Installation

Consensus FSB edit, correlate with 609.2

904.3.1 -904.4.3 delete

Consensus FSB edit (in the appendix vs. not in the appendix)

904.5 West-chemical systems

Consensus FSB edit (in the appendix vs. not in the appendix) same in both

904.5.1 System test

Consensus FSB edit (in the appendix vs. not in the appendix) same in both

904.5.2 Fusible link maintenance

Consensus FSB edit (in the appendix vs. not in the appendix) same in both

904.6 Dry-chemical systems

Consensus FSB edit (in the appendix vs. not in the appendix) same in both

904.7 Foam systems

Consensus FSB edit (in the appendix vs. not in the appendix) same in both

904.8 Carbon dioxide systems

Consensus FSB edit (in the appendix vs. not in the appendix) same in both

904.10 Clean-agent systems

Consensus FSB edit (in the appendix vs. not in the appendix) same in both

904.11 through 904.11.2.3

Consensus FSB edit (in the appendix vs. not in the appendix) same in both

904.11.3 Testing and maintenance

Consensus FSB edit (in the appendix vs. not in the appendix) same in both

904.12 Commercial cooking systems

Consensus FSB edit correlate with 609.2 (Rick Witt to re-write)

904.12.1 through 904.12.6.3 Manual system operation

Robby Dawson stated this should apply to all these types of equipment not just food trucks.

Consensus FSB edits pending Robby Dawson and Andrew Milliken's re-write

904.13 Domestic cooking systems in Group 1-2 Condition 1

Consensus FSB edit

Robby Dawson asked to cancel the June 22 Fire Code Edit Meeting due to their not getting past Chapter 9. We are not going to have much ready for June 22.

Cindy Davis asked for any objections, none were received.