

VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Supplemental Information for the 2015 Code Change Cycle to go with Book 1 – Part 2

<u>Fire Code Edit Workgroup Summaries and Additional Information</u>	<u>Page No.</u>
Workgroup 2 – June 9, 2016	3
Workgroup 2 – August 3, 2016	31
Workgroup 2 – August 26, 2016	57
Public Hearing Transcript	77
Public Comment Submitted for F-101.1(1)	113

(Page left blank intentionally)

Work Group 2 Meeting, Fire Code Edit Only
Henrico Training Center, Henrico, VA
June 9, 2016 – 9:30 a.m.

Summary Notes

Cindy Davis – Welcome and introductions. Thank you to Henrico County for the use of their facilities. Handout - Virginia Statewide Fire Prevention Code Rewrite FAQ page. Cindy reviewed the background information and provided information on who participated

F-101.1 cdpVA-15
Proponent SFPC Rewrite Committee
Chapters 2-8

Cindy Davis – Provided an overview of the process for the SFPC Rewrite. Initiated during the last code cycle, the Board of Housing and Community Development directed staff to remove unenforceable provisions from the VA Maintenance Code and the VA Fire Code, due to confusion over when it would apply retroactively. DHCD staff chose to collaborate on the task, instead of working autonomously. Last summer staff contacted VFPA and VBCOA and other stakeholders to see there was an interest in participating. VFPA recommended 10 representatives from various fire service organizations. VBCOA recommended 5 and 5 were suggested from various other stakeholder groups; such as building owners association, mercantile association, realtors group, etc. Ms. Davis reiterated that the intent is to not change anything. The SFPC will keep everything that is legally enforceable and will remove what is not legally enforceable. Additionally, anything related to construction will be relocated to an appendix. There had been a request at the Fire Code Rewrite meetings to keep a reference to the construction requirements. This would provide information for newer buildings; although previous code editions must still be referenced as applicable.

Monty Willaford – Who makes the decision on what and why it comes out? He indicated that so many fire officials are here today is to make sure the baby is not tossed out with the bath water. Ms. Davis stated that she thought that was great and was glad they were there and explained that is exactly what the workgroups are for. She further explained that just like any other building regulation, the final decision is made by the VA Board of Housing and Community Development which is made up of a 14 member board, appointed by the governor.

Art Lipscomb - Asked if this was done in conjunction with the fire board?

Cindy Davis - Explained the collaborative process set forth in the memorandum of the agreement and shared that in FSB and BHCD will hold a joint meeting in July. Although the FSB has a member on the BHCD, an additional written notice was provided to the Chair of the FSB.

Art Lipscomb – Shouldn't this be a cooperative decision instead of just from the housing board?

Cindy Davis – reiterated that she just explained that it will be done jointly.

Robby Dawson – Shared that he is the FSB representative on the BHCD and further explained the process.

Cindy Davis – Provided an overview of the cdpVA online code process and encouraged everyone to participate.

Keith Brower – Asked if all comments are available.

Cindy Davis – Explained that the ability to comment is being explored with ICC. She reminded everyone that anyone can comment on the Virginia Town Hall website during the comment period. It was stated that the BHCD will be provided with all comments.

Glenn Dean – Asked what “agreement” meant.

Cindy Davis – Agreement in previous code cycles we talked about consensus and what consensus means. Does that mean that everyone is in agreement? Does that mean that one person objects? For this cycle, we have said yes it must be unanimous. If there is one person that has adamant opposition (other than the proponent), it will be recorded and moved forward as non-consensus.

Keith Chambers – Asked if opposition in workgroups have to be present in the room, opposition in the cdpVA or will an e-mail do.

Cindy Davis – Explained that we capture at the end of every meeting is what happened in the workgroup and reiterated that all comments are still forwarded to the board. She suggested that there was a lot of material to cover and that the group really needed to get started. She offered to discuss additional process questions offline.

Robby Dawson – Asked to review the reason statement published for this change. He stated that he believes that the changes are not in a proper format and are unsupported by the FSB.

Cindy Davis – Stated that his comments will be noted. She further explained that there was no intent to imply that everything in the SFPC rewrite document was supported unanimously by the rewrite committee. She explained that staff tried to document concerns and opposition as they went along and again reminded everyone that this is what the purpose of today’s meeting is. If we missed something it will be captured in this workgroup meeting. Ms. Davis explained that the rewrite was a struggle as there seemed to be new and different representatives on the fire service side at every meeting. A few were diligent in attending most meetings, but there was often a need to start over at each meeting explaining the reasons/process. There was also no clarification on representation vs personal opinion, so we had no way of knowing whether a comment was on behalf of an organization or just an individual. Comments were captured along with who made them and that was sent out to everyone after each meeting. We received no corrections to the comments as I recall.

Glenn Dean – In the reason statement there is mention of the Rewrite Committee, is this the committee you are speaking about? Is this the same thing? This is the first time I have heard about the Rewrite Committee.

Cindy Davis – This was just an informal Fire Code Edit Committee that was put together in an effort to make sure that everybody that was going to be affected had an opportunity to participate.

Glenn Dean – Am I restating this correctly, that this Rewrite Committee is an umbrella title for all of this stuff. I'm not clear.

Cindy Davis – Lets back up, I talked about the ten individuals that were chosen to represent your organizations, the five from the building official, and the other five from various other organizations so that staff wasn't trying to do this in a vacuum. We thought it was important to get input from as many stakeholders as we could. That is what we call the Fire Code Rewrite Committee. That is what you attended a number of times. That is what we are referring to when we mention the Fire Code Edit Committee.

Glenn Dean – I believe this goes back to Robby's statement in that the way it is written seems to be agreement.

Cindy Davis – We can go back in if it is the desire of some of the folks to go back into the reason statement and make sure that it is clear that those who participated were not in full agreement of all of the sections. Again, that is what this workgroup is for and there will likely be further workgroups to address this.

Robby Dawson – I hate to go back to the process but in that workgroup committee that I was at, I would say that the majority people there were opposed to giving edits and that is still in there. I'm trying to wrap my mind around is whatever comes out of this is that edit going to be there or is there going to be a note there saying there was opposition? Or is the note going to say that the 60 of the 75 people here were in opposition? Is there going to be a scope to give the board some indication of how much opposition there was? One person or one organization in opposition, because I don't see this scoping issue within the sub workgroup.

Cindy Davis – Historically we have never counted people or take votes, but I do get what you are asking in that how will the board know to what extent there was or was not opposition? I guess we can work through this as we go through the list if there is vehement opposition, we will state that the majority of the fire folks present, or whoever was in opposition to it, we will make note in what we give to the board.

Robby Dawson – So with this verbage who becomes the proponent of that change? Because come of the key elements in the sub workgroup was in opposition.

Cindy Davis – Are you talking about this document, since staff was directed to do it, that the proponent should be DHCD staff? There were a lot of people on that committee that did agree. I will take exception to the fact that you said that even when there was a majority disagreement that it was in there anyway.

Robby Dawson – On occasions there was.

Cindy Davis – So please be sure to identify them as we go through the document. Because we were very careful to not do that.

Kris Bridges – I don't really think that any of them are edits. We identified areas that we believe are unenforceable. It's not in or out either way. These are just areas that were identified as retrofit provisions. They should be reworded on the largest majority.

Cindy Davis – So with that, let's get started. If you have a comment specific to the section, please remember to identify yourself and where you are from so Jane can capture in the summary.

F-101.1 cdpVA-15 Chapter 2 Definitions

APPLICABLE BUILDING CODE: Definition reviewed.

Cindy Davis – During the process we were asked to come up with a generic terminology that could be used throughout. So that whenever the term “applicable building code” was used there as agreement on what that meant. Basically it means the code in effect when the building was constructed or when a change of use or alteration occurred. And that if it was prior to any statewide code then it would be the Virginia Public Safety Law and if it was before that then it is simply as the building was originally constructed. Again, with the emphasis on no retroactive construction requirements being applied or required.

Glenn Dean - To date, when it comes to the term, building code or some variation of that, I thought I knew what that meant. I thought I could go to the specific edition of the USBC or pre-USBC or in the absence of a local building code. I thought I knew what this meant. The first sentence of the proposed definition is in keeping with that and to a lesser degree the second sentence, but it is the second half of the second sentence that I have taken and printed copies and placed in front of people that have not been averse to this. After they read this, their response or reaction is, what does this mean?

Cindy Davis – Asked if he was referring to “**the term shall be construed to encompass all the aspects of construction provided**”.

Robby Dawson– What does construed mean? I thought I knew what the applicable building code meant.

Cindy Davis – Asked if it is possible to have a building that fall under nothing?

Glenn Dean – Stated yes. It was pointed out in the Housing Study Commission from 1970.

Cindy Davis – the comment is that there is a possibility having a building that falls under no building code and it was pointed out in a study. So what does this mean?

Glenn Dean – That is my question, what does this mean? It could go anywhere from something to nothing. Therein lies the confusion to what this means. If a building comes under the edition of the USBC, if I go to that specific edition, or subsequent editions of the USBC. Let's use Norfolk as an example, they have a local building code. Richmond had a local building code. There are a number of localities that had a local building code.

Cindy Davis – For the ones who didn't have a local building code? What would you apply? If we take that language out, what are you applying?

Glenn Dean – What am I applying? Nothing. If we are talking about an existing building that pre-dates USBC, I am going to look at the Fire Code or the Maintenance Code for unsafe structure. I'm going to look at the structural elements and if they are failing then I have means today under today's codes to deal with that.

Greg Revels – Asked if anything is lost by deleting the second sentence altogether?

Cindy Davis – So the suggestion was just to have the first sentence and the second sentence in its entirety was not necessary.

William Lloyd – Home and building safety regulations were retroactive so we do have retroactive requirements.

Vernon – Explained that this language came from the Maintenance Code Rewrite Committee as well as the Fire Code Rewrite Committee. You have to maintain what was provided. You have to maintain whatever is there. If no code, then you are going to maintain what was required.

Sean Farrell – I sat on the Rewrite Committee and the discussions that happened during these sessions were removing all of the 2015 prescriptive languages in the IFC because some of the fire code inspectors need some guiding language. So the intent was to help the inspector in the field.

Richard Bartell – It is a difficult thing to do sometimes. This second sentence really doesn't add anything. If you diagram this sentence, you have just changed the subject midstream. It does not move forward as a cohesive sentence. This sentence adds nothing.

Johnna Grizzard – I have heard different options here. This was brought forth in the first committee meeting by the fire services? They were concerned about buildings that had no codes. If we drop it, I'm not sure if this will answer everyone's concerns. If not, just delete it.

Robby Dawson – I don't remember that.

Lynn Underwood – In the first sentence, after building code add the words **or law** in effect and this will cover it.

Richard Bartell – Stated that does not help. Provided an example of Hanover's courthouse that was built in the 1740's. It is what it is.

George Hollingsworth – I would like to make a suggestion that why don't we put this in as an individual code change so we can make comments and take this out of this group? I don't have the time or the inclination right here to take out the wording. If you could put something in to say to be maintained according to the code in which it was approved under that would include buildings that did not have a code at that time. Code it was approved under or the original construction. Give us a chance to make comments on the individual proposals.

Cindy Davis - We know that you want a generic language that stays the same all the way through and that you don't like this wording. Somehow along the way we have to come up with language that everyone likes. We will work on this and make it clearer. It sounds to me like everybody knows that if there was no codes and the building was built that is the way it stays unless they underwent something after there was a code in which case it has to comply with that code.

Robby Dawson – Asked where have we had fire code officials having problems?

Cindy Davis – referred him back to the FAQs that were handed out earlier.

William Lloyd – I do hear that you are cutting off comments of conversation.

Cindy Davis – I can't hear you. No, I'm not cutting off conversation.

Sean Farrell – I think she answered the question.

Cindy Davis – The board did not ask the staff to add definitions but the Fire Code Edit Committee said that there needs to be a generic language that is used the whole way through the process. So that it doesn't change, when we go to the maintenance language in every single chapter it is stated the exact same way the whole way through if we can't agree how we are going to do that, we are taking your comments that have been recorded and try to come up with some language that makes it clearer.

Henry Rosenbaum – Should they also reference something to the reference code not just the building code but also the reference code that was applicable during that time frame?

Anthony McDowell – This is my first time here. We spent a lot of time on this first issue and we have a lot of them here, what I wanted to know if there is one up for discussion, can we vote on it? Do we raise our hands if we are for it or against it? That way we know if there is a quorum. Vote for it or against it. I just don't know how we are going to get this done by the end of the day. Do I find out next week what you decided or did we decide? I'm not sure how this goes unless I missed something in the beginning.

Cindy Davis – So let me go over this part of the process again. What will happen, this whole thing will be moving forward to the board and we will capture all the comments. It has been made very clear, from the very beginning that there are a lot of folks that oppose all of it, folks that oppose some of it, some folks that are in agreement with a lot of it and some folks that are opposed to a little bit of it. This will go forth as non-consensus to the board of housing. This is clearly non-consensus. It will go to the board with the captured comments. If we come back with another definition that we are proposing to be used throughout the whole code then we will bring it back to another workgroup meeting so that you know what we have done. If we make a change, based on comments, we will bring it back to you, otherwise what is in there with captured comments of opposition will move forward to the board and we will define that as we go. Jane will type up a summary after this meeting and that also goes to the board.

Anthony McDowell – So we make these changes and that means we will meet again like this meeting?

Cindy Davis – Yes, we now have a workgroup 2 meeting scheduled for July 20 and at this point, there will likely be at least one or two more meetings additional workgroup meetings, specific to this topic.

Chapter 3 General Requirements

Cindy Davis – Explained that existing Virginia amendments automatically moves forward unless someone submits a code change to take it out.

301.2 Permits – existing state amendment

301.3 Occupancy - existing state amendment

304.3.2 Capacity exceeding 5.88 cubic feet. existing state amendment

304.3.3 Exceptions: Glenn Dean – agrees generally. When I look at that section, knowing who does the approval (the building official) and then I look at the balance of that section and look at the scoping of 13, 13R and 13D. How far and how wide these will get in there. If you take an existing building that has a sprinkler system in there and again I'm being hypothetical, if it's got a 13R system in there and something changes during the life of that building where the new tenant expands the degree of hazard in there beyond the 13D or to 13 I'm still dealing with that approved system. Is this correct?

Cindy Davis - No

Kris Bridges – Explained that it is taken care of by the change of use. If you change the hazard, you change the use. It is still covered under the change because it specifically lists fire hazard.

Glenn Dean – You can change a hazard within a B. You can change a hazard within an M. It only says approved system.

Cindy Davis – Restated Mr. Dean's question was he understands what it means when you say that the sprinkler system has to be approved in accordance with the code under which it was installed. The question was if it expands beyond that sprinkler system capacity to protect or do, then what? The answer is if the inspector believes an existing sprinkler system is not compliant with the building code, then it needs to be reported to the building department.

Glenn Dean – Concurred. Concerned that the language doesn't say that. All it says is approved system. It doesn't give me the ability to look at the scope for a 13, 13D or 13R and make that determination. This is a very small example but could lead to consequences down the road.

Robby Dawson – I had one question, but I think you answered it. We think that creates a violation if the draft language is approved. Then we would have to go to the building official to make the determination of whether or not that sprinkler system still complies with the code under which it was constructed. Second comment, that is not a construction requirement. That said, it is giving guidance to the fire inspectors, it says you can have this condition if the building is sprinklered in accordance with that standard. Now we create a sprinkler system not built to the standards that the section was directed. I'm not saying that thou shalt install a sprinkler system; it

is saying that you can use this process if you have a sprinkler system. I say this is not a construction requirement and should not be changed.

Mike Maenner – This one cleared up, this is an exception to the paragraph above and if they exceed the dumpsters above, they must install a new sprinkler system. So that exception would be dictated by the paragraph above and that would determine whether you would have to increase your sprinkler or not.

Cindy Davis – So, Mr. Dawson, I understand you are saying, if you have a limited area sprinkler now it doesn't comply with that section. I think this is the whole genesis for this, if you have a building from 1960 that had a dumpster here over 30 years and had a sprinkler system approved for that time, there is not a retrofit requirement to make them put in a sprinkler system in accordance with the code under which it was constructed.

Sean Farrell – Clarified that the language that was stricken only because of the reference to Section 903.3.1.1. For all we know it could have been in 502.6.7 in 1985. The only reason this was stricken was it specifically said 903.3.1.1. You have to go back to the code in which it was constructed.

William Lloyd – Once again, obviously we do not have a consensus. This is taking away the reference of one inspector telling them what standard that type of system needs. If the code section changes, and NFPA 13 System then it is going to be an NFPA 13 and the inspector needs to know that.

Shaun Pharr – When the property owner changes the context, I don't think that this alters a fire code authority. Make a decision, write a NOV and write in what needs to be present for the required section. This is much to do about nothing.

Johnna Grizzard – This section sends you to Chapter 9 of the Fire Code, 901.1 Scope. Revisions of this chapter shall specify where fire protection systems are required which shall apply to design, installation and inspection. Then if you go to Chapter 1 of the Fire Code it tells you that wherever a design or installation is specified it is unenforceable. This is sending you to an unenforceable section.

Richard Bartell – If you take the literal meaning of 903.3.1.1, the currently referenced standards in the code today, not to a previous edition. Those sections reference the sprinklers that are currently in the code today. If you keep this in there, it will have to be installed throughout unenforceable. Bad language to have in there.

Section 306 Motion picture projection rooms and film.

Cindy Davis - Striking Section 409 of the IBC to make reference to the applicable building code because it cannot comply retroactively under current provisions so it must comply with the codes which it was constructed.

George Hollingsworth – We are trying to make this better for the inspector, going forward may be more helpful in the mechanical code, instead of the IBC.

Cindy Davis – You are ok with this?

George Hollingsworth - Yes

Cindy Davis - Any objections? No objections.

Section 307

Open burning, recreational fires and portable outdoor fireplaces.

existing state amendment

307.2 Permit required.

existing state amendment

Section 308. Open Flames

308.1.6 Open-flame devices

Existing state amendment

308.2 Permits required.

Existing state amendment

Section 308.3 Group A Occupancies

Item 2. Heat-producing equipment

Striking the International Mechanical Code

Greg Revels same as sprinkler issue

Linda Hale – are you still striking Chapter 6 which references fire code?

Cindy Davis - Unstrike Chapter 6

Gas lights – which are not part of the construction of a building...

Any objections?

No objections

311.1.1 Abandoned premises

The proposal is to strike declared unsafe and abated by demolition or rehabilitation in accordance with the International Property Maintenance Code and the International Building Code and replace with declared unsafe in accordance with Section 110. Section 110 is a whole section on unsafe structures.

Robby Dawson - Are the provisions going to apply to an abandoned premise that is not declared unsafe under Section 110; such as we have to maintain sprinklers, security, fire protection which should not apply?

Cindy Davis – If you look at Section 110, I think the language is pretty broad.

Robby Dawson – I think this says it is abandoned and declared unsafe and everything below it does not apply. I can make my argument that it is just an abandoned premise and not unsafe so we don't have to secure it. I think this is a conflict in the code.

Matt Smolsky - tenants are in jeopardy because the system is broke. It doesn't have to be declared abandoned it could just be vacant.

Cindy Davis – this whole section is only specific to abandoned and it talks about buildings and abandoned structures in which an owner could not be identified or located. It is not talking about vacant. It is talking about abandoned.

Keith Chambers – This is an inclusive statement, and declared unsafe. It means that you have to have both pieces for it to fall in this code section. There are other sections in the code, that says that we can have an abandoned building as long as these are met but under this code session and declared unsafe. This is what he wants to fix.

Cindy Davis – This is existing language that we are not proposing to change. The only thing we are saying is instead of referencing the unsafe provisions in the building code we are referencing the unsafe provisions in Chapter 1 in Virginia.

Johnna Grizzard – in the fire code, this is giving us more leeway, it is sending you back to 110 of the fire code where you get your authority to declare something unsafe.

Richard Bartell – Suppose I have a 2,000 sq. ft. building that I walk away from, I abandoned it. Is it really proposing a hazard to anyone? It is in the middle of my 100 acres.

Robby Dawson – If it catches on fire you still have to send fire fighters in. We need to change the International Property Maintenance Code to the Virginia Maintenance Code.

Cindy Davis – So you are saying don't reference the unsafe provisions that you already have in Section 110?

Robby Dawson – They are already there, this adds to the confusion. You have to declare it unsafe. I don't think there is anything wrong with the way it is. Change to USBC.

Cindy Davis – Virginia doesn't use the unsafe provision in the International Building Code so you are saying change to USBC?

Johnna Grizzard- One thing that came up in the workgroup was that the fire officials needed the ability to have this in for a fire to reference 110 and to give the fire fighter more leeway.

Henry Duchene, VA Beach – Fire safety gives us the authority to decide an unsafe building

Shaun Pharr – Accordance with the applicable building or fire code.

Robby Dawson – the answer is to fix the problem, to demolish or rehab.

Sean Farrelll – current provisions of the code, I have this problem, I go to Section 110 and it tells me what to do. It simplifies it.

Johnna Grizzard – There is no reason this section in the fire code should instruct anyone to demolish or rehab a building. This is building code related.

Linda Hale – I agree with Johnna, it is referring back to the building code. We can declare it unsafe under Section 110. What we can't do is demolish or be able to have it rehabilitated. Send it back to the building official for demolish or rehab. If you remove it, you will not allow where it is supposed to go.

Cindy Davis – The way I read this stricken language, this has to be declared unsafe in accordance with Property Maintenance Code or the building code. But you have the unsafe provision to tell you when it is declared unsafe. Since you already have it, you don't use the unsafe provisions of the building code. Because you use Chapter 1.

Robby Dawson - How do we enforce that, fix an unsafe building? Nowhere in Chapter 110 is this found.

Cindy Davis –The stricken language says that you have to declare that unsafe in accordance with the building code.

Kris Bridges - It shall be declared and unsafe in accordance with Property Maintenance Code or the building code.

Greg Revels – Asked to put Section 110 up on the screen.

Sean Farrell – The early codes are not going to tell you how to abate an unsafe existing building, in the Virginia Maintenance Code says that you make an existing building unsafe structure by rehabbing it or demolishing it.

Shawn Pharr- I thought we were working on unenforceable and these references don't need to be here since they are unenforceable.

Chris Anderson, Hanover – The way I read this, the proposed change send us over to Section 110 and then 110 directs and requires us to go to the building official to abate or demolish.

Ron Clements – you just need to delete 311 altogether. You can't enforce it now and you can't enforce it if it is changed. You have everything you need in Section 110.

Cindy Davis – So you are saying you have everything you need in Section 110 under unsafe structures?

Robby Dawson – I don't have the authority to enforce the building code, but it is telling me I have to go to the property maintenance official and the building official.

Kris Bridges – This is why we are taking it out. Section 110 says the same thing. I completely disagree with everyone saying you can't write a notice of violation to someone regarding Chapter 1.

Robby Dawson – I will read it right here, the fire code official shall order the following conditions or materials to be removed or remedied.

William Lloyd – The only person that can be charged with a violation in Section 110 is the fire official. Robby just read it. The fire official shall...

Andrew Milliken, Stafford County – I suggest that we scrap this entire section that would be outside the scope of this workgroup. Would be a separate code change.

311.2.3 Fire separation

maintenance language added, maintained in accordance with the applicable building code.

Robby Dawson – Chapter 7 explains how you maintain, inspection, testing and maintenance of existing fire separations. If you remove Chapter 7 it eliminates the process by which you test, inspect and maintain.

Linda Hale – Chapter 7 will affect it.

Johnna Grizzard - Chapter 7 shall be maintained. In reference to 703.1

Richard Bartell – Asked where it says you can't maintain it? It also says you can't poke holes in fire separations. There's no code section that says you can't block open the door with a wedge if it is required door separation. If anyone violates any of these things, it is a violation of the terms that were in place at the time of construction. If they do those things it is no longer in accordance with the way it was constructed in the applicable code. It is a violation of fire code and building code.

Andrew Millikin, Stafford county – We are for this being removed.

Sean Farrell – If there are maintenance provisions in Chapter 7 of the SFPC, we don't want to delete. We also want to say, maintain in accordance of the building code.

Shaun Pharr – In addition to the maintenance provisions in Chapter 7, add a generic reference that is applicable to the building code and or the fire prevention code

Mike Maenner- The reasons you have to go back to the applicable code , not Chapter 7 of the SFPC is because in previous codes the fire walls went up and down because of sprinkler breaks lowered the fire walls. It is to eliminate those mistakes,

Johnna Grizzard – the first thing we need to consider is the maintenance code and that will send you back to Chapter 7 and should also include fire and assemblies and not just delineate partitions, fire barriers and firewalls, since those are just recent defined terms. I don't think the way it is worded openings, joints and penetrations shall be maintained.

Cindy Davis – So I think what I hear is a strong recommendation to keep all the maintenance language in Chapter 7, make sure that you have everything that you need to make sure that the fire resistant barriers and fire separation are maintained within the code that it was constructed under when it was installed.

Keith Brower – stick to all the maintenance code language.

311.3 Removal of combustibles.

Exceptions:

Change a reference from the IBC to the USBC.

Andrew Milliken – why are we changing the code in 311.3 to USBC? Explanation followed.

No objections

311.5.6 Removal

Existing state amendment.

311.6 Unoccupied tenant spaces in mall buildings.

Robby Dawson - Asked if the building official, in the case of an existing Certificate of Occupancy and no work occurring, would make them comply with this section?

Glenn Dean – Assuming the answer to the first questions is No., then it would be true that the fire official would make the referral to the building official, correct? Then after all that gets done, if this language is being deleted out of the fire code, is there reciprocal language in the building code directing the building official to do it in accordance with these specifications?

Cindy Davis – That is a good question. Does the building official have to do it in accordance with the specifications? What if the building official wanted to allow an alternate method of protection, do they not have the ability to do that?

Glenn Dean – It already has the certificate of occupancy.

Cindy Davis – Even though he has the certificate of occupancy, now it is not applicable. If the building official can't get in and the fire official can, and you see the construction has to be created there, or some separation has to be created there, and you are going to send them back to the building official to get a permit. Correct?

Robby Dawson – Yes

Cindy Davis – Now we are going to apply for a permit to do it, what if they propose an alternate method or materials, or they want to provide a fire watch? What if the building official wants to do it a different way, than that prescriptive method? Are you saying they don't have that ability?

Johnna Grizzard – or an approved equivalent.

Linda Hale – My point is if you delete it, then we don't have the authority to be able to cite it and send to the building official.

Kris Bridges - How does the fire official have the authority today to go into a 1970 mall building and enforce that section right now?

Robby Dawson - The building official doesn't have the authority.

Kris Bridges – How does the fire official have the authority, because it is written there?

Robby Dawson – Yes

Johnna Grizzard – This isn't being enforced across the board now.

Glenn Dean – If this language is lifted out of the fire code and is it being plopped down in the building code, does the building official have some kind of specification by which they can issue a permit by some alternative method to have a reference point. Is this language being lifted and plopped down in another building code?

Cindy Davis – this is prescriptive language.

Sean Farrell – I think there is a misunderstanding of what we are trying to do here. If I have a building that doesn't have any storage, no combustible waste, no occupants, why do I need to do anything more than an existing approved certificate of occupancy required? And conceptually the SFPC and the maintenance code is requiring them to do more to that space. How is this maintaining it? You are requiring to retrofit the space and the reason, I'm not getting it, It is a vacant space that you are trying to put the construction requirement on to maintain.

Proposed language is: Separated as approved by the building official.

Johnna – how is this not a retroactive construction item? No change of occupancy.

Vernon Hodge – On the national level, the IFC is written for construction and maintenance and operation. They say it is ok to require construction. Unfortunately in Virginia, our law limits us in how to use a model code or standard under the SFPC. The struggle that the committee, the staff and the board is having in trying to use an international code. They are filled with construction provisions and they don't work in VA. We have to figure out how to make it work. This is the dilemma.

Robby Dawson – The building official does not have the authority to do this.

Richard Bartell – If someone violates the provisions of their building code, if you find it with the building official, there may be a reason to cite a violation.

Section 313

Fueled Equipment

Exceptions

1. Changing reference striking IBC with applicable building code. No objections.
3. Storage of equipment. Approved automatic sprinkler system installed in accordance with Section 903.3.1.1

Glenn Dean – Am I saddled with the Group B limited service use group area? If they increase their hazardous area, they will need a new permit.

Richard Bartell – they changed a use and hazardous space.

Andrew Milliken – 13 system protection level in order to have this exception

Robby Dawson – I may be ok with this. If you bring in gasoline, you are expanding the scope..

Shaun Pharr – I think this gives more latitude to our fire officials to make a determination to what he or she thinks.

Johnna Grizzard – Add approved in exception 1

Andrew Milliken - Not intended to be a 13R or 13D Clarify language to approve.

Bob Jenkins, Chesterfield Fire – I want a clarification of approved. Approved as installed.

Section 314

Indoor Displays

314.1

Existing state amendment

314.5 to 314

all are existing state amendments

Henry Rosenbaum – Asked if we highlight existing amendments in a different color. Information on the different color already used for Virginia amendments

Section 315

General Storage

315.3.4 Attic, under-floor and concealed spaces

Added language to refer to the applicable building code.

Section 315

General Storage

315.6 Storage in plenums

Glenn Dean – Raised a question around the term “approved”. Approved by whom? In this context, does this mean by the fire official?

Cindy Davis – If it was approved for storage without protection, under the code in which it was originally built, it must be maintained. So, the way you are reading what is proposed doesn't say that? Generally agreed that the term approved needs to be clarified.

Linda Hale – I want to verify your statement that all of the chapters with an N in front of it needs to be amended?

Cindy Davis – “N” indicates that prescriptive construction requirements were removed from the SFPC. Those provisions will be copied into an Appendix N in the back of the SFPC. We designated this with the letter N, so you know that there is a construction provision applicable to that section in the appendix.

Cindy Davis - Removing unless approved for such use by the applicable building code.

Robby Dawson – How does this apply to 315.3.4, unless it is approved under the building code? Wonder if the building code is silent or if the building code says it is a plenum?

Cindy Davis – So your question is, If you have a 1960 building that had a plenum and the building code didn't address the storage, what would apply?

Robby Dawson – I suggest if it isn't broken, don't fix it.

Richard Bartlett – There has to be approval in the building code.

Cindy Davis – So you are suggesting that we make sure that the language in 315.3.4 and 315.6 are the same.

Ron Clements – Verified that there is no storage in a plenum.

Cindy Davis – We have a suggestion to duplicate the language in attics and another suggestion that there has never been, to anyone's knowledge, storage in a plenum.

Cindy Davis – So is everyone Ok with removing unless approved for such use as applicable building code? Reviewed the Appendix N procedure for moving to the appendix.

Vernon Hodge reviewed 315.4.1 language the board put in. This was about storage under eaves.

Andrew Milliken - Would it be appropriate to put under there plenum language?

Johnna Grizzard – I think this needs to stay.

Cindy Davis - The tag that the abandoned cable should be tagged needs to be unstricken. We will un-strike and add “unless approved under the applicable building code”.

Robby Dawson – not in agreement.

316.6.1 Structures under high voltage transmission line.

Proposal is to delete construction related provision and added it to Appendix N for reference.

Keith Chambers – What is a non-permitted structure? A small shed? Reviewed what is permitted. We are taking the language out, however, there are small structures that are not permitted that building officials are not involved but we still have to regulate because they are under transmission lines. We have had a case on this. Virginia Power uses us sometime to regulate structures under their power lines.

Johnna Grizzard - If a structure is over 150 sq. ft. the building code would have purview.

Richard Bartell – 256 sq. ft. which is an accessory structure. So why couldn't it be an accessory structure? We have people with transmission lines in their back yards in my county.

Andrew Milliken – the location is a hazard to the fire officials don't let code decrease safety.

Matt Hunter, AWC- usually the utilities have their own criteria. Reviewed easements.

Sean Farrell- If state law empowers the fire official to regulate that, then why not leave it in?

Todd Stoudt, Chesterfield – Virginia Power has a blue book. Reviewed the building dept. vs. fire official dealings with this issue.

Cindy Davis – If we leave this, hypothetically, the building department may issue a permit then you would turn around and say get it out of there?

Todd Stoudt - Yes

Richard Bartell – the NEC gives us criteria for clearance. What Virginia Power wants us to do their job and enforce it. This unenforceable requirement can only be done through the VA State Corporation Commission which requires them to contact the customer and they hate to contact the customer.

Sean Farrell – if state law allows you to do it. ok

Andrew Milliken – Do we have consensus that this is not the right order?

Richard Bartell – Yes

Johnna Grizzard – But this is existing language?

Johnna Grizzard – So let's strike it. Reviewed utility easements.

Sean Farrell – Reviewed the way to get this done.

Henry Duchene, VA Beach Fire – I appreciate everyone doing what they are supposed to do, this gives us permission if they do not handle the right way, and we go in and enforce it.

Cindy Davis – If this language does not exist in the building code and the building department is not prohibited by something from issuing a permit for it. The building department would have to issue a building permit that is not in violation with the NEC or any other regulation of the building code and now the fire official goes out and they say, tear it down.

Keith Chambers – So now we are involved in it.

Andrew Milliken – so we get the permit to build a house under the power line, the fire code says it is unacceptable. Maybe this should stay in the building code.

Johnna Grizzard – Reviewed that this is a separate issue.

Shaun Pharr – Reviewed fire service issues under power lines.

Cindy Davis – What I'm hearing is the fire services is concerned of buildings going up without permits under high tension utility lines.

Linda Hale – We are all assuming that structures mean, but structures can be other things, it could be a huge play house with a pole on it. We just want the right to say it is just not safe under high tension utility lines.

Ron Clements – Actually you don't have to worry about this because it bans the tower holding the lines.

Richard Bartell – He reviews GIS and site plan information pertaining to this.

Cindy Davis – It sounds like the concerns related to the building department are process or procedure issues related to the building department but what about Linda's comment concerned about the playground equipment or some other structure not regulated by the building department under these high tension power lines and may in fact be a hazard?

Johnna Grizzard – What about structures not regulated by the building code?

George Hollingsworth – Can VA power tell them to lower their structure?

Cindy Davis - Someone can certainly submit a code change to make sure the issue is addressed in the building code.

Emory Rodgers – Reviewed the power line language.

Kris Bridges– AEP doesn't want to do anything; they want the power company to handle all their dirty work. There is nothing in the code that says I cannot issue a permit. The owner has the plot and the easement doesn't dictate ownership. Recommends deleting the whole section.

Clarence Osborne – Leave it the way it is.

Johnna Grizzard – ok maybe a structure should not be built here, this is questionably enforceable.

Cindy Davis – Who has the authority under state law to determine whether a building or structure can or cannot go? Does the authority of the SFPC have the authority to say where a building or structure can or cannot go?

Richard Bartell – the way the law works in Virginia, with easements, depending on the type of easement, there are many variations; ingress or egress, some you can put a building on. There are more than one utility easement and typically belongs to someone else other than the person that wants to do something.

Cindy Davis – 316.6 is only specific to high voltage easements. We did not strike it in 316.6 in the charging statement.

Richard Bartell – Wherever you have a high voltage power line going across someone's property, there is an implied easement.

Keith Chambers – One thing in 316.1, the language you have, the utility easement shall be maintained. You have to maintain the easement. The language in itself is unenforceable.

Cindy Davis – Please look at 316.6. It says Structures and outdoor storage underneath high-voltage transmission lines. Right now it says structures and outdoor storage, what if it said

structures not regulated by the building code and outdoor storage underneath high voltage transmission lines?

Ron Clements – You can't do that because there are structures exempted by state law from the building code that the utility company needs. You can't come in and tell the utility company they can't have their own structure.

Discussion on utility structures and easements.

Robert Gilmer, Albemarle County – Shouldn't we be looking at the intent of this code? We are talking about restricting this but what would happen to us if this structure is on fire? If you look at Chapter 1, doesn't the scope of the fire code allow us to protect life and property?

Johnna Grizzard – Anything over 256 sq. ft. or 150 sq. ft. for an equipment structure is going to require a building permit, so it will be reviewed as far as setbacks, etc.

Anthony Milliken – I say leave it alone.

Robby Dawson – I thought this was about removing unenforceable construction provisions regulated by the building code? Now if the building official allows them to build it, then what?

Howard Lagomarsino, Albemarle County – If we are saying that we can't deal with this as an unsafe issue, how does the building code deal with the open burning law and other unsafe stuff? I say we have the authority to enforce this section.

Vernon Hodge – This has been a very interesting discussion, it is a statutory issue of whether or not the fire code can dictate anything about the construction regardless of whether it is to tear it down, not put it there or how to build it. Continued discussion on state law.

Linda Hale – I am confused that all the structures are regulated by the building code?

Vernon Hodge – Short list of exemptions.

Linda Hale – There are some exemptions.

Glenn Dean Since 1988 until today, no appeals or interpretations. Leave it alone.

Johnna Grizzard – there are still exemptions that apply.

Shawn Pharr – does not define statutory legality. The board should not promulgate without authority.

Andrew Millikin – Discussion regarding we have to do more work.

Howard Lagomarsino, Albemarle – If you look at the scope in Section 101.2 of the SFPC, relating to maintenance of structures, processed and premises and safeguards to be complied with for the protection of life and property from the hazards of fire or explosion. This 2nd and separates it out from the maintenance code.

Robby Dawson – discussion on statutory law regarding Shaun Pharr’s comments.

Shaun Pharr – staff has made their best efforts, purging or revising this. You just articulated a problem so let’s work through it.

George Hollingsworth – I’m still not sure about this, how it’s going to be better.

Cindy Davis – If there is a reference to a construction provision in the building code that isn’t duplicated what happens? Clarification that the reference is to the International Fire Code, and not the SFPC so nothing is “lost”. No where in the Building Code does it reference the VA Statewide Fire Prevention Code. Second of all, we are looking at the possibility of duplicating some of the requirements into the building code.

George Hollingsworth – You are taking it out of your unenforceable but it needs to go somewhere so it is not just disappearing.

Cindy Davis – We have just heard dissenting statutory arguments so we need to sort this out first. Further discussions ensued. This whole document is going forward as a non-consensus document to the board.

Glenn Dean – Who is the proponent.

Cindy Davis – The proponent is staff as directed by the board and the subcommittee. I didn’t say the subcommittee was in agreement. This is going forward as **non-consensus**.

Sean Farrell – We went through the maintenance code with the VBCOA representatives, someone has to do it.

Monty Willaford or Todd Strang, Spotsylvania - This is far more complex than the word construction it is complex to what Howard said is to be either maintenance or for the safety of the citizens, not just firefighters, the citizens of the Commonwealth of Virginia and in this meeting, and in this process, somebody has lost that in my opinion. It is all about the builders; it’s all about the difference of that one word, construction. It shouldn’t be about construction. The key word should be safety. The word safety for the protection of lives, protect the prevention of injuries of the citizens and visitors of Virginia. I can tell you this; the whole process has lost this factor. When a system determines mulch to be a fire code?? Over construction. When it calls mulch on the ground as construction. We have a big problem. This comes from the General Assembly. This is not just about construction. As a fire chief, I took an oath to do 2 things, and that is to protect the citizens of Spotsylvania County and my people who put their lives on the line every day. We are forgetting safety and worrying more about the word construction.

Section 317

Rooftop Gardens and Landscaped Roofs

The proposal is to add the language to refer to the applicable building code.

317.2 Rooftop garden or landscaped roof size.

Landscape rooftop gardens and structures has to be maintained in accordance with the applicable building code in which it was installed.

317.3 Rooftop structure and equipment clearance.

Robby Dawson – the code is silent on rooftop gardens.

Glenn Dean – older building for this rooftop garden. Does this require a permit,

Richard Bartell – Yes, if they are adding weight or changing the use of the rooftop, architectural detail, it needs to have a permit.

Johnna Grizzard – change of occupancy shall be made in any structure. It will be changed in the occupancy. It is a change of the level of activity.

Richard Bartell – No where are you allowed to exceed the roof load on any building.

George Hollingsworth – Rooftop gardens or landscaped roofs shall be landscaped and maintained in accordance with the applicable building code. It doesn't say you need a permit.

Robby Dawson – In the 1984 BOCA code, there is no standard for building a rooftop garden.

Sean Farrell – We are going to say the rooftop garden was constructed with no permit, we are not going back to the 1984 code. We are going to say that you installed something that increases the code requirement for that building. Now we are currently placing this in the current code. If the structure was built in 1984 and the rooftop garden was constructed in 1984 then all you need to do is maintain it.

Johnna Grizzard – the current language says installed, it should be struck and use maintained. Change to maintenance language.

Anthony Barrero – discussion on maintaining. Installed is leaving and maintaining is staying.

Cindy Davis – Overview of maintaining the roof garden under the applicable code it was installed.

Robby Dawson – comply with today's building code. This led to a discussion.

Johnna Grizzard – sends you to 1507.6.

Section 318

Laundry Carts

Exceptions:

Go back and revisit, the same as in previous sections.

Andrew Milliken – don't look at just approving. The intent of the IFC, it is up to the building official to approve.

Richard Bartell – Discussion regarding the laundry carts. Put the language on the co. This will require a code change.

William Lloyd – plastic laundry cart we are telling them to go to their building official.

Cindy Davis – discussion on an apartment building that would have been constructed without a full 13 System and have always had laundry facilities. Operational –always been there and now it says it has to comply with Chapter 9.

Clarence Osborne, VA Beach – just because they were allowed to do it, 30, 40, 50 years ago, you go into the building they used wooden carts, now they use plastic. Times have changed. Fire loads and the way things are burning has changed. Safety aspect.

Brian Simmons, Roanoke County – I believe this is more of a maintenance change.

Shaun Pharr – 318.1 is very specific, non-combustible. Only referenced in the exception.

Keith Chambers – Don't believe this is a construction code item. I think it is optional.

Linda Hale – The exception that is combustible.

Chapter 4 – Emergency Planning and Preparedness

Section 401 General

401.1 Scope

Existing state amendment

Section 403 Emergency preparedness requirements

403.1.1 Maintaining occupant load posting.

Existing state amendment

403.2.2.1 Night clubs

Existing state amendment

403.2.2.1.1 Audible announcements

Existing state amendment

403.2.2.1.2 Occupant load count

Existing state amendment

403.10.4 Group R-3 and R-5 lodging facilities

Existing state amendment

403.11.1.4 Lease plan revisions

Deleted a reference to the building official

Discussion by Robby Dawson

No objections

403.11.5 SRCE

Existing state amendment

403.12.2 Public safety plan for gatherings.

Existing state amendment

Section 404 Fire safety, evacuation and lockdown plans

404.4.1 Distribution

Existing state amendment

Section 405 Emergency evacuation drills

Exception

Existing state amendment

405.2.1 High-rise buildings

Existing state amendment

Table 405.2 Fire and evacuation drill, frequency and participation

Existing state amendment

Chapter 5 Fire service features

Section 501 General

501.2 Permits

501.4 Timing of installation

Existing state amendment

Section 503 Fire apparatus access roads

503.1 Where required

Exceptions:

Existing state amendment

503.1.1 Buildings and facilities

Exceptions:

The sprinkler requirements in Chapter 9 are construction-related, so any reference to them is removed.

503.2.1 Dimensions

Exception:

Existing state amendment

503.7 Fire lanes for existing buildings

Existing state amendment

Section 504 Access to building openings and roofs

504.1 Required access

Added language to refer to the applicable building code

Consensus Okay

504.2 Maintenance of exterior doors and openings

Discussion by Robby Dawson, removal of exterior doors, Leave as is. unstrike first sentence and add fire approval and building official, take the proposed language out and leave the language about complying with Chapter 10.

Chapter 507 Fire protection water supplies

507.3.1. Fire flow requirements for fully sprinklered residential developments.

Existing state amendment

507.5.1 Where required

Existing state amendment

Section 508 Fire command center

Existing state amendment

508.1 The reference to the IBC is removed and the fire command centers shall be maintained in accordance with the applicable building code.

508.1.1 Location and access

Proposal: strike approved by the fire chief

Robby Dawson – Are these referenced in the building code?

Cindy Davis – If there is a pointer to that language in the building code, it is to the IFC and not to the SFPC so we are not losing anything.

Linda Hale – So it will still say, approved by the fire chief.

Vernon Hodge discussion, I think we just found out that the fire command center language is in the IBC and does reference the IFC but the question was if the IFC has language that says the fire chief or someone has to approve it. Because it is a building code requirement, the building code in Chapter 1 says that anything related to approval is done by the building official and any language in a model code or reference standard that's different from Chapter 1, is superseded by Chapter 1.

508.1.2 Separation

This talks about prescriptive requirements for a 1-hour fire barrier in accordance with the IBC and replaced with separation between the fire command center and the remainder of the building shall be maintained in accordance with the applicable building code.

508.1.3 Size

The size of the fire command center has to be in compliance and maintained in accordance with the applicable building code.

508.1.4 Layout approval

The layout and all features of the fire command center shall be maintained in accordance with the applicable building code.

508.1.5 Storage

Storage unrelated to operation of the fire command center shall be maintained in accordance with the applicable building code.

Robby Dawson– operational requirement, don't change

Andrew Milliken – don't change

William Lloyd – don't change

Richard Bartell – discussion on now we are going to allow someone else to take control of the storage.

Cindy Davis – So we are going to take out maintain in accordance with the applicable building code and sunstrike prohibited.

508.1.6 Required features

The following features of the fire command center, when required by the applicable building code, shall be maintained.

Johnna Grizzard – Isn't NFPA 72 the standard with the maintenance issues?

Linda Hale – The NFPA 72 is our reference for maintenance and testing issues?

Cindy Davis – Should NFPA 72 stay?

Kris Bridges – Shouldn't it say, in the addition of the applicable NFPA 72?

Cindy Davis – Now it has been a suggestion to reference Chapter 9 of the Fire Code because Chapter 9 gives you the NFPA 72 provisions.

Robby Dawson – how do we maintain it?

Cindy Davis – I think everyone agrees that we need standards of maintenance but the question is where we do it? Do you do it with a pointer to Chapter 9 or here in this section?

Kris Bridges – Do in this section, leave in NFPA 72, add language to the applicable NFPA 72 edition

Ron Clements – Where required by the applicable building code and applicable edition of the NFPA 72.

Richard Bartell – what about pre edition of the NFPA 72.

Glenn Dean – This may be problematic; you may want to say the applicable edition of NFPA 72.

Johnna Grizzard – I don't see any problem with leaving NFPA 72 and the applicable building code.

Vernon Hodge – so it's ok to add maintain and test with NFPA 72.

Consensus to add maintaining and testing with applicable code and NFPA 72

Section 509 Fire protection and utility equipment identification and access

509.1 Identification

Add and maintained. Consensus.

Add identification and back to the title. Consensus.

Section 510 Emergency responder radio coverage maintenance of in-building emergency communication equipment

Existing state amendment

Chapter 6 Building services and systems

Section 601 General

601.1 Scope

Construction-related language deleted

No objections.

601.2 Permits

Existing state amendment

Section 603 Fuel-fired appliances

Deleted construction-related provisions from all section and add maintain under the applicable building code and add them to Appendix N for reference.

No objections.

603.1.4 Fuel Oil

William Andrews - Not in building code, needs to be maintained per manufacturers' instruction.

Discussion on fuel oil 1 and 2.

Bob Jenkins, Chesterfield – no one keeps manual.

Vernon Hodge – maybe we need to strike the whole section so it doesn't prohibit the fire inspector from using the general sections.

George Hollingsworth – If there was no requirement during the time of construction, you still can't use what you want in the boiler. We have to know what they are using is what is approved for that boiler.

Robby Dawson – Do I need to have a permit to replace a boiler?

Vernon Hodge – Yes, lots. Discussion on boilers.

Consensus to take strike throughs out on 603.1.4

603.7 Discontinuing operation of unsafe heating appliances.

Richard Bartell – Lets stay with original language.

Glenn Dean – When you have an electrical cook stove, the electrical cook stove is not a building code issue. Only at point of connection, but when that stove becomes defective it needs to be maintained.

Robby Dawson– I have a problem with striking defective.

Vernon Hodge – We may need to re-work this.

Andrew Milliken – What about a chimney?

Vernon Hodge - If you have a problem with the masonry, you would send to the building official because it was not being maintained. Maintain in accordance with the applicable building code.

George Hollingsworth – Lack of Maintenance code.

Russell Furr and Vernon Hodge discussion on chimneys

Linda Hale – Are we changing our purpose. That isn't what Cindy stated we were doing.

Cindy Davis – reviewed again why we are doing this procedure and the people who need to understand and use these codes on a regular basis. We are just trying to take the task, get it completed in a way that will work for everybody. It is not the intent of the board to make anything different than what you are doing now.

George Hollingsworth – shall – enforce as building code. Change shall to may

William Lloyd – lets recess and change our proposed language.

Monty Willaford or Todd Strang – I think there were a lot of changes that we reviewed today, that even though they were well intended, we were more on construction than on safety. We are at least understanding the viewpoint. We had some very good discussions today. No one can argue about taking out the unenforceable items, but I think it was too heavy a hand. After some conversation, I think we have a lot of smart people here. I think it will take a few more meetings.

Cindy Davis – This is why we have these workgroups to bring everyone together and get the information out there and make sure everyone is on the same page.

Anthony Barrero - I think we need to start back at 603 next time.

Linda Hale – I would like to start back at 603 also. We went over this today in lightening speed.

Cindy Davis – If you have any ideas or thoughts for any other language than “in accordance with the applicable building code”. We would like to have your comments. Please email us any comments you may have. Once we get to other areas, we hope it will go faster and smoother.

(Page left blank intentionally)

Work Group 2 Meeting (Fire Code Edits)
Henrico Training Center
Wednesday, August 3, 2016

Cindy Davis welcomed the attendees, and after attendee introductions, gave an overview of the new comment feature in cdpVA.

Linda Hale asked how the edits would be correlated with summary notes. She wanted to know if we will see the final updated document. She also wanted to know if the document will be voted on as package or each section individually (change everything or nothing).

Cindy Davis stated, if there was a consensus that something should be done, then that will be done and that will be presented to the board. As soon as the document that will be given to the board is ready, it will be posted. The board will see the final document regarding the consensus of the proposals and they can do what they want, it is up to them on how they are going to vote on it.

Robby Dawson asked if there were any venue or opportunities for corrections to the summaries. Cindy Davis stated you can comment in cdpVA or send an e-mail.

Cindy Davis indicated that the previous meeting had ended in Chapter 6 and that would be the starting point for this meeting. Ms. Davis asked for any comments to Chapter 6.

Linda Hale stated that the requirement to maintain instructions and installation diagrams should be retained in **603.1.6.1**

Anthony Barrero stated that in **601.1 Scope** not all installation provisions have been removed, so deleted "installation" from the paragraph is not warranted.

Anthony Barrero stated he agreed that **601.2 Permits** is an existing state amendment.

Anthony Barrero's suggested combining 603.1, 603.1.1, 603.1.2 and 603.1.3 as follows: "603.1 Installation and Maintenance. New installations of non-portable fuel gas appliances and systems shall comply with the International Fuel Gas Code. New installations of all other fuel-fired appliances, other than internal combustion engines, oil lamps and portable devices such as blow torches, melting pots and weed burners, shall comply with this section and the International Mechanical Code.

Previously installed and approved non-portable fuel gas appliances and systems shall be maintained in accordance with the manufacturer's instructions and to the requirements of the applicable code under which they were installed. Electrical wiring and equipment used in connection with oil-burning equipment shall be

maintained to the standards of (NFPA 70 and?) the applicable codes under which it was installed.

Anthony Milliken will email his clarification of language on 603.

Linda Hale suggested in **603.1.7 Clearances**. NFPA70 or 31 is the language we seek because removing would convolute.

Anthony Barrero suggested the majority of content in **603.1.4 Fuel Oil** does not involve installation, but rather use of the items. He suggested the following: "603.1.4 Fuel oil. The grade of fuel oil used in a burner shall be that for which the burner is approved and as stipulated by the burner manufacturer. Oil containing gasoline shall not be used. Waste crankcase oil shall be an acceptable fuel in Group F, M and S occupancies, when utilized in equipment listed for use with waste oil." ~~and when such equipment is installed in accordance with the manufacturer's instructions and the terms of its listing."~~

Anthony Barrero indicated that he had no comment on **603.1.5 Access**

603.1.6 Testing, diagrams and instructions.

Anthony Barrero suggestion was to simplify 601.6, 601.6.1 and 601.6.2 as follows:

"603.1.6 Instructions and diagrams. Instructions, diagrams, and other paperwork required to be extant on or near the equipment by the code under which it was installed shall be maintained."

603.1.6.1 Diagrams

Linda Hale concerned that diagrams still need to be maintained and if only applicable to the applicable building code, might cause issues beyond authority and timeframes

603.1.7 Clearances

Anthony Barrero suggested "Working clearances between oil-fired appliances and electrical panel boards and equipment shall be maintained in accordance with ~~NFPA 70~~ the code under which the equipment was installed. Clearances between oil-fired equipment and oil supply tanks shall be maintained in accordance with ~~NFPA 31~~ the code under which the equipment was installed."

603.2 Chimneys

Anthony Barrero suggested masonry chimneys, factory-built, and metal chimneys shall be constructed in accordance with the International Building Code. Factory-built chimneys shall be installed in accordance with the International Mechanical Code. Metal chimneys shall be constructed and installed in accordance with NFPA 211. shall be maintained to the standards of the code under which they were constructed and/or installed.

603.3 Fuel oil storage systems

Anthony Barrero suggested ~~Fuel oil storage systems and shall be installed in accordance with this code. Fuel oil piping systems shall be installed in accordance with the International Mechanical Code.~~ Fuel oil storage systems and fuel-oil piping systems shall be maintained to the standards of the code under which they were constructed and/or installed.

603.3.1 Fuel oil storage in outside

Anthony Barrero suggested combining 603.3.1, 603.3.2, 603.3.2.1, 603.3.2.2, 603.3.2.3 and 603.3 as follows: "603.3.1 Fuel oil storage quantity, arrangement and piping. For previously installed and approved fuel-fired appliances, the quantity of fuel oil storage, in any previously approved storage installation, shall be maintained at or less than the quantity approved. For previously installed and approved fuel-fired appliances, the arrangement of fuel oil storage and piping shall be maintained as previously installed and approved.

603.5 Heating appliances

Anthony Barrero suggested 603.5, 603.5.1 and 603.5.2 could be combined into one section. "603.5 Heating appliances. Heating appliances, including all fire and burn safety features, shall be maintained in accordance with the manufacturer's instructions, their listing and the applicable codes under which they were installed."

603.6 Chimneys and appliances

Anthony Barrero suggested Because a primary function of the code is to reduce or eliminate fire hazards through proper maintenance of appliances and systems that are potential fire and life safety hazards, I suggest that the entire paragraph be kept and the desired code wording be appended.

Russell Furr stated shall be maintained to not require a fire hazard. He believes it was added for a reason.

Cindy Davis said we already discussed this when Linda Hale brought it up earlier and we're leaving it in. The maintenance language needs to remain.

603.6.1 Masonry chimneys

Anthony Barrero suggested 603.6.1, 603.6.2 and 603.6.4 should be combined into one paragraph. "Masonry, metal and factory-built chimneys. Masonry, metal and factory-built chimneys shall be maintained to the requirements of the applicable codes under which they were installed."

MR. Barrero read the following statement:

Currently: 603.6.3 Decorative shrouds. Decorative shrouds installed at the termination of factory-built chimneys shall be removed except where such shrouds are listed and labeled for use with the specific factory-built chimney

system and are installed in accordance with the chimney manufacturer's installation instructions.

The first use of the word 'installed' in this paragraph has nothing to do with installation requirements. It seems to me that someone did a search for all instances of the word 'install' and its variants and then used the strike through key indiscriminately and added 'applicable building code' just as indiscriminately.

I can agree with removing "and are installed in accordance with the chimney manufacturer's installation instructions."

I feel that having the sentence as proposed usurps the building code's installation permission authority. I interpret the sentence as meaning that the VSFPC will permit something only if the building code does. It is an inconsistent message.

This section should be left alone or cut out entirely. Codes can be reactionary. There must have been a problem with decorative shrouds that necessitated this section. (I don't know, I am not a chimney expert. And since I have not seen any evidence that the proposal is coming from a chimney expert, I assume the submitter is not either. So deleting something about which we do not know anything is foolish.)

Linda Hale asked if the applicable code indicates cracks in the mortar? This language is maintenance, it is not directing it to be repaired it is just stating dangerous conditions can't be there.

Shaun Pharr stated it was just common sense reading. Would any of those conditions have been allowed or approved under the applicable building code?

603.6.4 Factory-built chimneys

Linda Hale stated it is not construction, it is maintenance

Anthony Barrero recommends combining and use language: maintained in the standards of the code in which they were installed.

603.6.5 Connectors

Anthony Barrero stated he had no comment on this proposal other than to change their universal replacement language with "shall be maintained to the requirements of the applicable codes under which they were installed."

Linda Hale suggested keeping the language the same as maintenance language.

603.7 Discontinuing operation of unsafe heating appliances

Anthony Barrero suggested Replacing "defective or in violation of code requirements for existing appliances" with "applicable building code" does not make sense. He stated that it is in no way inferring a construction requirement and needs to be kept in order for a fire code official to be able to ameliorate such

hazards. He further agreed that the "Note" is an existing state amendment.

He opined that the replacement at the end of the section is unnecessary, but indicated no major objections to it. He did suggest that the wording should be ALL (not any) violations are CORRECTED (not remedied.)

Linda Hale stated if the appliance is defective it is a maintenance issue.

Robby Dawson stated if a recall notice comes out then it gives us the authority to tell them to fix it.

603.8 Incinerators

Anthony Barrero suggested: "shall be maintained to the requirements of the applicable codes under which they were installed."

603.8.1 Residential incinerators

Anthony Barrero suggested "shall be maintained to the requirements of the applicable codes under which they were installed."

603.8.2 Spark arrestor

Anthony Barrero suggested "The means for arresting sparks shall be maintained to the requirements of the applicable codes under which it was installed."

603.8.3 Restrictions

Anthony Barrero suggested this proposal was inane. There are not burning prohibitions in the building code to refer back to. He suggested no changes.

Robby Dawson asked where the building restricts open burning? Consensus on keeping section as-is.

603.8.4

Robby Dawson, not a condition of the building code. Can't be in an appendix. Consensus on keeping section as-is.

603.8.5 Discontinuance

Anthony Barrero stated there was no need to restrict a fire code official to being able to shut down an incinerator only due to lack of maintenance. There is no need for this change proposal.

Robby Dawson stated that these sections have nothing to do with the construction. None of the strike throughs relate to construction. Because of drought, you are prohibited from burning here. Where does the building code prohibit burning?

Cindy Davis said she agrees with Robby's language in 603.8.3, 603.8.4 and 603.8.5. Leave as is.

603.8.6 Flue-fed incinerators in Group 1-2

Anthony Barrero stated no. The proposal is 180 degrees from the original intent.

603.9 Gas meters

Anthony Barrero suggested the barriers referred to are not noted in the building code. Recommend denial of this proposal.

Section 604 Emergency and Standby Power Systems

604.1 thru 604.1.8

Anthony Barrero suggested these sections are proposed to be deleted in their entirety. Much of this is new language in the 2015 ICC FPC.

Robby Dawson stated this is maintenance language.

Cindy Davis agreed to keep maintenance language. consensus.

604.2 Where required

Anthony Barrero suggested emergency and standby power systems. Where required.

604.4 Maintenance

Linda Hale stated we don't know which requirements should be maintained since we are striking so much of it. She doesn't know if 110 or 111 will cover this.

Section 605 Electrical Equipment, Wiring and Hazards

605.2 Illumination

Anthony Barrero had no objection to this wording change.

605.9.1 Attachment to structures

Anthony Barrero had no objection to this wording change.

605.10.1 Listed and Labeled

Anthony Barrero agrees that this is an existing amendment.

605.11 Solar photovoltaic power systems

Anthony Barrero asked why have the installation provisions been allowed to remain for solar photovoltaic power systems?

Emory Rodgers believes we need to review the construction language again. Solar panels need to be changed to maintenance language.

Andrew Milliken stated we should keep NFPA 70 maintenance language and also have a pointer.

Section 606 Mechanical Refrigeration

606.1 Scope

Anthony Barrero suggested: Refrigeration systems shall be ~~installed in accordance with the International Mechanical Code.~~ Maintained to the requirements of the applicable codes under which they were installed.

606.2 Refrigerants

Anthony Barrero said he doesn't believe that this change should be made. There are no refrigerant regulations in the building codes. Even if there were, the original refrigerant can be replaced without a building permit. Therefore the only regulations are in the International Mechanical Code. These regulations are necessary as refrigerants can be considered hazardous materials and pollutants.

606.3 Refrigerant classification

Anthony Barrero stated he doesn't believe this change should be made. There are no refrigerant regulations in the building codes. Therefore the only regulations are in the International Mechanical Code. These regulations are necessary as refrigerants can be considered hazardous materials and pollutants.

606.4 Change in refrigerant type

Anthony Barrero said this change shouldn't be made. There are no refrigerant regulations in the building codes. Even if there were, the original refrigerant can be changed without a building permit. Therefore the only regulations are in the International Mechanical Code. These regulations are necessary as refrigerants can be considered hazardous materials and pollutants.

606.7 Emergency signs

Anthony Barrero believes the first change shouldn't be made. These regulations are necessary as refrigerants can be considered hazardous materials and pollutants. What is the difference between 'provided with' and 'maintained' if the paragraph only references the current edition of NFPA 704? For the second change, the deletion of the last sentence, I have no objection to it being moved to the appendix, but see no need for it to move.

Robby Dawson stated that the signage is not maintenance it is construction. Consensus to keep as is.

Cindy Davis agreed the signage should stay.

606.8 Refrigerant detector

Anthony Barrero stated the proposed change moves the regulation from being about refrigerant detection to being about machinery rooms. He suggested for the first sentence: Required refrigerant detectors with an audible and visual alarm, installed in a machinery room, shall be maintained to the requirements of the applicable codes under which they were installed. No change proposed to 2nd sentence.

He opposed the change to the 3rd sentence. TLV-TWA values are not referenced in the Building Code.

Robby Dawson stated this is an OSHA requirement. The building code does not provide TLV. The fire code should have the ability to change this value.

606.9 Remote Controls

Anthony Barrero believes he understands the goal of the proposed changes, but thinks the reference to Section 1106 of the IMC (Machinery Room, Special Requirements) must be kept. In total, the same thing can be stated more simply. He suggested:

“606.9 Remote controls. Where flammable refrigerants are use and compliance with Section 1106 of the International Mechanical Code is required, remote control of the mechanical equipment and appliances located in the machinery room shall be maintained to the requirements of the applicable codes under which they were installed at an approved location immediately outside the machinery room and adjacent to its principal entrance. This includes, but is not limited to, the refrigeration system emergency shutoff and the machinery room ventilation fan switches.

Robby Dawson stated he had an issue with 606.9. 606.9.2 is moving to an appendix.

606.10 Emergency pressure control systems

Anthony Barrero stated the proposal is more encompassing than the original requirement. He suggested: “606.10 Emergency pressure control system. Emergency pressure control systems for refrigeration systems containing more than 6.6 pounds (3 kg) of flammable, toxic or highly toxic refrigerant or ammonia shall be maintained to the requirements of the applicable codes under which they were installed.

Emory Rodgers stated we should leave manufactured instructions in USBC when appropriate.

606.10.1 Emergency pressure control system

Anthony Barrero suggested “606.10.1 Each high- and intermediate-pressure zone in a refrigeration system provided with a single automatic valve providing a crossover connection to a lower pressure zone shall be maintained to the requirements of the applicable codes under which it was installed, including, but not limited to, overpressure limit set points and manual operations.

George Hollingsworth stated if we continue to use applicable building codes, it might present an issue or conflict if there was a modification. We need originally approved language.

Glenn Dean stated we don't know what this means regarding the applicable building code.

Kenney Payne suggested we pull up the new proposed definition. Applicable Building Code. Whatever local or state building code in effect when a building was initially constructed, or underwent a subsequent alteration or change of occupancy. If no local or state building code was in effect when a building was initially constructed, or underwent a subsequent alteration or change of occupancy, then the phrase “shall be maintained in accordance with the applicable building code” shall mean to maintain as originally constructed.

Glenn Dean asked about change of occupancy.

Cindy Davis asked if applying this definition was clear?

Kris Bridges stated that it was clear, however, it didn't spell out how the process applies.

Kenney Payne stated we added as approved by building official.

William Lloyd stated as approved if you have to do anything. He agreed with Glenn

Kris Bridges stated change of occupancy or as otherwise approved.

Linda Hale asked if the subsequent alterations are a defined term during renovations?

Kenney Payne said right now between building codes, you can use the same definition of USBC and IFC. The change of occupancy definition will be just one.

Andrew Milliken asked the purpose of removing this section. There seemed to be no guidance for this quantity in the building code.

Emory Rodgers stated he didn't understand the question. Quantities are less and some are more, the owners have to have AMSDS sheets.

606.10.1.3 System Design Pressure

Anthony Barrero stated if the goal is to remove installation references in the Fire Code, this section could be deleted in its entirety.

606.10.2 Automatic emergency stop

Anthony Barrero suggested Automatic emergency stop. Required automatic emergency stop features shall be maintained to the requirements of the applicable codes under which they were installed.

606.10.2.1 Operation of an automatic crossover valve

Anthony Barrero suggested Operation of automatic crossover valves shall be maintained to the requirements of the applicable codes under which they were installed.

606.10.2.2 Overpressure in low-pressure zone

Anthony Barrero suggested Operation of overpressure sensing devices shall be maintained to the requirements of the applicable codes under which they were installed.

606.12 Discharge and termination of pressure relief and purge systems

Anthony Barrero suggested that a haz mat expert as well as a mechanical systems expert should evaluate these sections. He is not comfortable saying that systems discharging ammonia, flammable, toxic and highly toxic substances should be maintained to the codes under which they were constructed. Newer regulations for the hazardous substances might necessitate a change to the systems.

606.13 Discharge location for refrigeration machinery room ventilation

Anthony Barrero stated the title of this subsection is misleading. It does not specify a discharge location, but rather treatment of exhaust from certain mechanical ventilation systems. He suggests his preferred wording "shall be maintained to the requirements of the applicable codes under which they were installed."

606.15 Records

Anthony Barrero suggested no changes proposed, however, the last sentence of the 2012 VA code is missing and I believe that it should be restored.

606.16 Electrical equipment

Anthony Barrero suggested the proposed wording to mean that the classification of the rooms be maintained while the original code intent was to have the rooms conform to certain NFPA specs. He suggests: "Where refrigerants of Groups A2, A3, B2 and B3, as defined in the *International Mechanical Code*, are used, refrigeration machinery rooms shall be maintained to the requirements of the applicable codes under which they were installed."

Section 607 Elevator Operation, Maintenance and Fire Service Keys

607.2

Emory Rodgers stated that the standby power should be struck out.

George Hollingsworth stated the maintenance language in the building requirement should be added. When it's required, these are some of the things we need to be looking at.

Cindy Davis stated that we agree with that.

Anthony Barrero suggested in 2012 this was 607.2 Emergency signs which moved to 607.3 in 2015. 607.2 is now Standby power. 607.2 through 607.2.4 are

installation requirements and need to be changed to maintenance requirements to be consistent if the remainder of the code is changed. He suggests: 607.2 Standby power. Standby power refers back to 604

607.5 Occupant evacuation elevator lobbies

Anthony Barrero suggested being consistent with section 607.4 He suggests: 607.5 Occupant evacuation elevator lobbies. Where occupant evacuation elevators are ~~provided~~ required in accordance with the building code under which the elevators were installed, occupant evacuation elevator lobbies shall be maintained free of storage and furniture.

607.6 Water protection of hoistway enclosures

Anthony Barrero suggests his preferred replacement wording: "shall be maintained to the requirements of the applicable codes under which they were installed.

607.8 through 607.8.4

Anthony Barrero stated this was verbatim from Section 607.5 in 2012. He considers the language in 607.8 as leaning towards a construction requirement, but there is no proposal for change. If all the proposals are adopted, perhaps this section should also be tweaked.

Section 608 Stationary Storage Battery Systems

Anthony Barrero stated he was not sure where original installation of these systems is regulated. There is no mention of them in the index of either the building code or the mechanical code.

608.6.1 Room ventilation

Anthony Barrero suggested ventilation shall be maintained to the requirements of the applicable codes under which it was installed. Delete remainder of section.

608.6.2 Cabinet ventilation. #2

Anthony Barrero stated he does not agree with this deletion. The ventilation products as just as hazardous in a room (of unknown cubic volume) as they are in a cabinet. The room into which the cabinet ventilates must also be ventilated.

608.6.3 Supervision

Anthony Barrero stated the proposal is to delete the requirements for supervision of ventilation systems required previously in the Fire Code. It makes no sense to say that they must be maintained in accordance with the applicable building code when the building code is not what required them in the first place. He suggests his preferred wording "maintained to the requirements of the applicable codes under which they were installed. He wanted to know what Appendix N meant.

Bob Adkins wanted to point out that the building code that is used here indicates the VCC and that is what we reference and use every day. He doesn't think we are gaining anything by changing this.

Cindy Davis stated that the (N) is used to designate current construction requirements for new construction in that section that has been moved to the appendix so that if someone is using this to do inspections on current new construction and is using the fire code as a guide they would be able to see what the requirements for current construction is. The maintenance language that is being replaced means that whether or not it was required you have to do research which doesn't change. Nothing is changing, we are just moving the current requirements to the appendix and putting in the maintenance language.

608.8 Seismic protection

Anthony Barrero stated as noted in the chapter heading cell, He does not know where original installations are regulated. If they are regulated by the Fire Code, this section should be retained.

608.9 Smoke detection

Anthony Barrero stated as noted in the chapter heading cell, he does not know where original installations are regulated. If they are regulated by the Fire Code, this section should be retained. However, it refers to 907.2 which might be deleted.

Section 609 Commercial Kitchen Hoods

609.1 General

Anthony Barrero does not agree with this proposal. Since hoods are not regulated by the building code, he suggests: Commercial kitchen exhaust hoods shall be maintained to the requirements of the applicable International Mechanical Code and other applicable codes under which they were installed.

Linda Hale stated that the commercial language shall be maintained in the applicable building section.

609.2-609.3.3.2

Anthony Barrero said no changes are proposed, even though 609.2 is an installation requirement.

609.3.3.3.1 Tags

Anthony Barrero stated the change from inspected to cleaned is NOT an existing state amendment. I believe "inspected" should be kept because it is more encompassing than cleaned. All cleanings should have an inspection component, but not all inspections necessitate a cleaning.

609.4 Appliance connection to building piping

Anthony Barrero stated this is new in 2015 but it has not been called out as such.

Section 610 Commercial Kitchen Cooking Oil Storage

610.1-610.7 Anthony Barrero stated much of this section is new in 2015, but some parts were already state amendments. No changes proposed.

Section 611.1 – 611.2 Hyperbaric facilities

Anthony Barrero said this section is new in 2015 but is not called out as such. No changes are proposed.

Chapter 7 Fire Safety Requirements

703.1 Maintenance

Andrew Milliken asked about removing visually inspected,

Robby Dawson stated that inspections and maintenance requirements are scattered throughout and is enforceable. The original intent is to remove construction provisions, however, removing this is outside of the scope of this effort.

Vernon Hodge stated the directive from the board was to remove the unenforceable provisions from the model codes, not just construction, but unenforceable provisions. In the maintenance code most of the language looked at was mostly retrofit language, however, they also looked at the Administrative conflicts that existed in the Maintenance Code. The fire code was looked at in the same perspective. This language was debated in the last cycle. There were some changes being made to Chapter 1 which looked at whether the language in the model code is actually enforceable. We already have a proposal submitted that will get looked at by the board even if it doesn't get looked at in this re-write. Chapter 1 states that anything that deals with inspections and gives the authority having jurisdiction to the fire official to have the right to do inspections.

Deidra Peterson stated that we can't require third party inspectors but we can accept them.

Shaun Pharr stated that as a property owner representative he agrees with the revised wording of the authority of inspectors. They are not going to tell you how to do it, the bottom line is that you have to maintain these elements. He believes this enhances the hands of the inspector. Mr. Pharr objects to being maintained on the premises.

Steve Ennis asked if the fire marshal walks in to his hospital doing an inspection it sounds like if we asks me to do certain things, according to this, I don't have to do anything.

Cindy Davis stated that this is not the case. This goes back to Chapter 1.

Andrew Milliken stated that the annual maintenance inspection needs to be done, however, no additional requirements need to be done until the fire official says there is a problem.

Anthony Barrero said he would like this added, “Records of the inspection and maintenance shall be maintained on the premises for a minimum of three years and shall be copied to the fire official upon request”.

George Hollingsworth stated we have lost track over one word. The inspection needs to be done annually by someone, if not the owner then someone needs to do the inspection for the owner.

Russell Furr stated the owner shall be responsible for the inspection. The owner is the one responsible. Why is this a conflict?

Glenn Dean stated that the records need to be readily available.

Anthony Barrero said he made a change to this language, “Records of the inspection and maintenance shall be maintained for a minimum of three years and shall be copied to the fire official upon request.” He is removing on the premises. Would this be acceptable language?

There is consensus on this language.

Emory Rodgers stated Rick Witt was going to work with Robby Dawson and Zack Adams for clarity of language for what you have been doing.

Linda Hale-asked where to find the conflict in Chapter 1.

Cindy Davis stated this was going to be a state amendment.

703.2 Andrew Milliken suggested adding approved or reference for maintenance language. Include to pointer to 105.

Chris Anderson suggested to un-strike the changes in 703.1.2 because it doesn't seem to be construction language.

Cindy Davis stated it is unstricken.

Chapter 8 Interior finish, Decorative materials and Furnishings

Linda Hale stated the existing building requirements should remain.

Andrew Milliken asked why we need chapter 8 except for 801.1 Scope. Go back to the building code in which it was built. Strike entire chapter

George Hollingsworth said the majority of the fire officials want to leave this alone. He believes there is disagreement on this section.

Glenn Dean stated to leave it alone.

Linda Hale asked about public schools wanting to decorate for prom. When the school wants to decorate they are going to need to go to the building official to get a permit? This is essentially a double inspection. Do we do temporary permits?

Kenney Payne asked if we need to strike anywhere it says existing or new building?

Linda Hale asked about specific thickness. Some of this is to have the schools use certain materials that are flame retardant flame resistant and to meet NFPA code. It's utilized for things on a temporary basis.

Cindy Davis said we hear lots of disagreement, we will put all the comments and disagreements in here and go through and try to identify the construction related material language and put them in the appendix and keep maintenance language for the rest.

Chris Phillips stated they had a haunted house incident in Prince William County that caused a loss of life. He didn't believe they had a permit. The fire marshal has to have access without having to go to the building official.

Andrew Milliken states there are numerous references to sprinklers. We need to specify NFPA 13 systems. Where an allowable exception issued.

Kenney Payne asked that in the scope 808.1 is it the intent to strike existing and new. Will it be correlated through this chapter? If they stay it could cause confusion.

Cindy Davis asked Richard Potts to look up the comments that were made in the fire code edit sessions for this particular section. This does need to be reviewed.

Monty Willaford mentioned he talked with some board members and they do not know why we are doing this. This thing is getting so big and out of control. How are we making a decision on this? Why are we even here? I want everybody to hear about this (edit) The keyhole we are being pulled through. You are taking this away and this will affect public safety. I want this to be seen by the General Assembly, Governor, BHCD, I want everybody to hear what is going on with this (EDIT). He stated that members of the BHCD are questioning this process as well and building departments are not able to do any of this with the work they already have to do. This has turned into a fiefdom and will affect public safety. Somebody has to stand up and say it. I support Loudon and I support Stafford.

Linda Hale asked are those consistent for mattresses and furnishing in multiple sections?

Cindy Davis stated in Chapter 8 we will need to see what needs to be removed. We are trying to abide with Virginia law.

Robby Dawson commented he heard the comments and the way we have gone about this is broken. The people who are making the determinations are non-fire related people or non-fire code certified and don't understand how the fire code is enforced. I believe this is the root of the problem.

Emory Rodgers stated the draft language is from VBCOA that was assigned this. There are very difficult sections in here in 807 building officials would like fire officials to take over this section.

Chapter 9

Fire Protection Systems

Ron Reynolds asked how we are going to get everyone on the same page. This will be a huge job for him because he has five offices across the state from one end of the state to the other. This is nothing against DHCD staff, he just thinks we are moving so fast with this and it is to large right now.

Cindy Davis thanked Ron for his comments.

901.2 William Andrews asked what is wrong with getting construction documents? If the code allows us to require documents and we do not get them, why wouldn't that be enforceable?

Robby Dawson stated by removing his ability to require the plans, he has no way to evaluate this system. Without the ability of having the plans, I don't have a way to evaluate this situation. I think deleting this is a problem.

Andrew Milliken stated to retain the first portion and remove everything after the fire protection systems.

Emory Rodgers recommends a code change for 109 to address their concerns.

Sean Farrell suggested considering the Records Retention Act.

Ron Clements said to require copies of existing construction documents and calculations. They need to have this information to make a determination of a violation.

William Andrews said he doesn't believe it is un-enforceable.

Robby Dawson stated this is up to interpretation and fire officials are responsible for this.

Kenney Payne stated he thinks part of the problem is the change of occupancy definition in the fire code is different than what Cindy is referring to. This needs clarification.

Ron Clements stated he doesn't have a problem with the fire officials having a set of plans.

Andy Wilson stated it was the owner's responsibility, someone has to have the information.

Shaun Pharr asked if it is problematic to go to your building official and say we have encountered this problem at this address?

Linda Hale stated that going to the zoning office is not the approved plans.

Robby Dawson asked if a building official can ask for construction drawings if they don't exist?

Emory Rodgers stated that if something has changed. You can't approve if you don't have a copy of the drawings.

Cindy Davis stated there is no agreement on this. The desire is for the first sentence to remain.

901.2.1 Andrew Milliken stated this was not replicated in the construction code. Maybe we should combine 901.2 and 901.2.1.

Emory Rodgers stated that the records of compliance are the permits and approvals.

Kenney Payne stated he heard the term "as built" are different than the construction documents that were approved. Another cost the owner will need to incur.

Robby Dawson stated this is more than mechanical it also addresses the calculations.

Anthony Barrero stated if you take the changes out, it leads to unpermitted work issues.

George Hollingsworth asked what do you right someone up for when you suspect there is an issue with the fire protection system. You tell the person to go to the building official to get a permit.

Jerome Swain stated that we expect that there is an exceeded hazard. We need the original drawings to know what it was designed for. We need the drawings up front.

Cindy Davis asked should you make the determination or should the fire official. There is a concern that building officials may not be doing what they should be doing.

William Lloyd stated that not every fire department uses the same equipment and pressure.

Shaun Pharr stated that it can't reside with the fire official if VA laws say otherwise.

Andy Wilson said he doesn't see this as unenforceable. Sometime, we cannot give them an informed opinion.

Robby Dawson stated a lot of this is interpretation.

George Hollingsworth said he thinks the issue in the majority of cases, I don't think there are a lot of fire marshals say they need something. We are providing a service of knowledge for them instead of just telling them to go see the building official..

William Lloyd stated that every fire marshal is trained through extensive training that they may not require equipment or anything that relates to the methods of construction. They are re-trained on this in a regular in-service manner.

Glenn Dean made a comment that there is a lack of quantifiable and identifiable problems.

Monty Willaford stated this is about good customer service.

Anthony Barrero stated he knows no reason to change Chapter 8, Chapter 9, or Chapter 10. You are taking away safety guidelines that we work with every day and there maybe consequences if you take this away. Consensus of fire officials to not change Chapters 8,9 or 10.

Cindy Davis stated that it is the fire officials' belief that there are no unenforceable provisions in these chapters and everything should stay as it is.

Mike Maenner stated that in Section 907, Fire Alarm and Detection Systems, the commentary states as indicated in this section, only Section 907.9 is intended to be applicable to existing buildings and structures.

Linda Hale stated when we remove something from the codes, we you remove some language, that tie to help the building official get a right of entry to go in and be able to require unpermitted work to be corrected.

Emory Rodgers stated that un-permitted work that is brought to the building officials they can handle under our current USBC. There is a section that deals with this. Linda, your point about what your building official is doing or not doing, if it is brought to the attention that there is a possible violation for existing buildings or while a building is under construction they do have in Chapter 1 of the USBC the right of entry. This is taught in the CORE program. We have had some instances of some of these violations. There isn't a public safety loss by separating in Virginia in accordance with the statutes the roles and duties of the code official. understanding that if they don't work together as a team it is going to be less user friendly and more difficult to get and keep and maintain buildings for the public safety.

Sean Farrell stated that the building official can always delegate enforcement of the USBC to the fire officials as technical assistants if that is what your locality wants to do. So you may already be empowered.

William Andrews stated that in Chapter 9, 904.12 Commercial cooking systems. These are self-contained. This still needs to be regulated.

Glenn Dean again in 904.12 the hood system language is saying the non URL 300 systems need to be maintained. Are you saying that if they can't maintain it, if the parts are not available, they need to upgrade?

Shaun Pharr stated the only way to remedy the situation is to upgrade.

Mike Maenner said in 106.5.1 the fire official shall prove the use of alternative requirements to the code. You can already do that.

Andrew Milliken said in 901.5, striking the language in the first part doesn't make sense since it sets up the rest of the section.

Cindy Davis said she agreed.

901.5.1 Don't delete

This should stay

Blake Toepke stated that his building official has started granting partial change of occupancy. This means that the occupant can occupy certain floors while others are under construction, if you take this away we have no leverage to say that this is not safe. These were apartment buildings and hotels.

Anthony Barrero stated we have been talking about this section for some time, there are so many changes that are going to affect citizens. This takes away our

authority and will promote unpermitted work. Do we need to oppose these changes?

Emory Rodgers addressed this to Anthony, when a new building goes up some floors can be used while the others are still being renovated. The USBC allows this to happen and to issue a temporary certificate of occupancy. Conditions are set on the uncompleted work areas. I don't think the code is broken.

Andy Wilson stated we came here to discuss the changes. I understand what Anthony is saying but I don't know if Anthony understands what you are saying. If we decide to close off discussions on these chapters it does not mean you are accepting Anthony's suggestion that these will remain the same.

Cindy Davis stated so we will continue chapter by chapter.

Shaun Pharr said in Chapter 9 for instance there are dozens of sections that have been revised and the note says, deleted construction related provisions; and if you look at many of those provisions if not all of them they are undeniably construction related.

William Lloyd said that we made reference regarding obtaining the AG's opinion.

Cindy Davis said that as part of the regulatory process, the regulations have to be approved by the Attorney General. No opinion just the process.

Andrew Milliken stated **905.7.1** and **905.7.2** should be unstricken.

Cindy Davis agreed.

William Andrews stated 904.12.6.1 rather than delete, needs to be maintained. We missed putting maintained in it.

Cindy Davis said we got that.

Chapter 10

Section 1001 General

Anthony Barrero stated the proposal to remove all language that seems to be a new construction requirement is too far-reaching. Things such as temporary tents and public assemblages not inside a building still require egress, but egress cannot be required under the VCC. All parts of chapter 10 that must be used if the VCC is not used must be retained, but perhaps altered to clarify the extent of use.

My suggestion is: 1001.1 General. ~~Buildings or portions thereof shall be provided with a means of egress system as required by this chapter. The provisions of this chapter shall control the design, construction and arrangement of means of egress components required to provide an approved means of egress from structures and portions thereof. Sections 1003 through 1029 shall apply to~~

~~new construction. Section 1030 shall apply to existing buildings.~~

~~**Exception:** Detached one and two family dwellings and multiple single family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code*.~~

Means of egress systems for buildings or portions thereof which have received a Certificate of Occupancy from the Building Official shall be maintained to the requirements of the applicable code under which they were installed. Buildings or public gatherings not subject to the VCC shall be provided with a means of egress system as required by this chapter.

Ron Clements stated that this is right out of the building codes. It is clearly for buildings and not outdoor events.

Chris Phillips stated this needs to be included .

Linda Hale stated there are many scenarios that this could apply to., but it doesn't apply to axles.

Monty Willaford said we don't live in a black and white world. We have to deal with this.

Emory Rodgers stated we have gaps in every code cycle. This is a separate issue.

Cindy Davis said the first part of his language is perfect, however, the second part Introduces a new part that has not been covered by the code before and may need to be addressed separately.

Sean Farrell stated that if you limit it to those that have been given a certificate of occupancy by the building official what do you do with pre-USBC that the building official has not issued the co for?

Anthony Barrero stated he cannot agree with this proposal for the reasons stated in 1001.1. They shall be retained! At worst, sections 1003 thru 1015 can be created as an annex with specific language in the body of the code that directs and makes legal the use of the Annex in situations not covered by the VCC. As proposed, only 1003 through 1010 are in Annex N and they are specifically not enforceable.

1001.3 Overcrowding

Anthony Barrero stated he agreed that this is an existing amendment. Should USBC be changed to the VCC?

Linda Hale stated we need to reduce occupancy load .

1010.1.9.1 Hardware William Andrews stated maintaining is not enough, it needs to be maintained.

1004.3 Posting of occupant load Robby Dawson stated in keeping with consistency of keeping sign sections unchanged, shouldn't we be able to keep this?

Anthony Barrero stated in **1003.2 through 1015** the most harm would be done by losing sections:

1004.1 Occupant load. As an aside, I do not like ICC changing the first 'shall' in the sentence to 'are'.

1004.1.2 Allows use of table 1004.1.2 and directs the Fire Code Official to determine occupant load in areas without fixed seating.

1010.1.9 Door operations. Readily openable without use of key or special knowledge or effort.

1010.1.9.4 No bolt locks.

1017 Exit access travel distance. This section gets used in evaluating new layouts for booths and displays in the Expo Center. No building permit needed to move around the pipe and drapes, but they can be set up so no one can quickly get to an exit.

Emory Rodgers said we don't have anything about food trucks in the code now but the 2018 does. F23 puts in a whole new standard. He is hoping that fire services will support putting this in their fire prevention code for both operational permits and standard so it will be statewide.

Robby Dawson stated that this reference of signage is a maintenance issue, so **Section 1004.3** shall remain?

Cindy Davis stated that if a sign is required by the building code, if it gets missed, destroyed or removed illegally you still have the authority to require it.

Emory Rodgers stated that zoning is a land use decision.

William Andrews – already required under retrofit. 1701.

Anthony Barrero stated in **1017 Exit access travel distance.** This section gets used in evaluating new layouts for booths and displays in the Expo Center. No building permit needed to move around the pipe and drapes, but they can be set up so no one can quickly get to an exit. It needs to be retained along with the table.

Anthony Barrero stated **1018 Aisles.** This section gets used in evaluating new layouts not only for the Expo Center, but in mercantiles when displays are rearranged. It needs to be retained.

Sean Farrell stated in Part 3 of the VA Maintenance Code all buildings must be maintained in the code in which it was constructed.

Robby Dawson stated signage on a door appendix is not enforceable.

Anthony Barrero stated in **1023.5 Stairway penetrations**. A critical section, the remediation of the penetrations must be immediate. Not whenever the building official can investigate the FCO generated complaint. John Sevier Hotel Fire. Although not a stairway penetration, on Christmas Eve, 1989, 16 elderly residents died in a fire in a building that met all the codes when it was converted to housing. “The Johnson City (TN) Fire Marshal's office had investigated the fire which occurred on October 25, 1989. A final inspection of Apt #513 was also conducted during the week of November 27. Another inspection of smoke towers and standpipes was also conducted because of reports that heavier than usual accumulations of smoke had traveled to the upper floors at the time of the fire. This heavy smoke accumulation was later attributed to a break in the pipe chase between floors, thereby allowing the smoke to travel freely to the upper floors of the building. Fire officials had attempted to correct the situation by working with building officials and engineers to convince the owner of the seriousness of this situation and bring the building into compliance.” However, 16 persons lost their lives, because the deficiency was not fixed immediately. I do not have access to the NFPA report, but seem to remember that the size of the penetration was tiny.

1010.1.9.3 Locks and Latches

Linda Hale asked about 2.2 regarding a readily visible durable sign is posted on the egress side on or adjacent to the door stating: This door to remain unlocked when this space is occupied.

Robby Dawson stated if it wasn't required by the building code, can he tell them to put the sign up?

Chapter 11 deleted

Chapter 20

Robby Dawson **Helistop 2007.2** Clearances need to remain. Un-strike, it must be maintained.

Cindy Davis said we are un-striking heliports.

Emory Rodgers said he agreed with un-striking heliports

Robby Dawson stated in **2007.2** that this is a safety regulation and needs to remain. Clearance is not just related to structures. Un-strike consensus.

Robby Dawson said he also has concerns with removing 903-905. It depends on the correlation with what is being deleted.

Chapter 21 Dry Cleaning

Linda Hale stated in **2105.2.3 Ventilation**, we need to put in maintenance language per Cindy.

William Andrews said this must be operating as required. This is an operational issue. Using maintenance language doesn't guarantee its use. Consensus to add applicable operational language.

William Lloyd stated in **2104.2.4 Bonding and grounding** that it does not require a permit from the building official. It is not a construction requirement but a life safety requirement.

Robby said it could be a drum that is being transported that needs to be grounded.

Cindy Davis stated that we will take a look at this.

Robby Dawson said it might include things that aren't building code related such as a 55 gallon drum.

Linda Hale stated in **2105.2.3 Ventilation** that this is maintenance.

The consensus was to add the maintenance language as it relates to operations.

Linda Hale stated in **2105.3 Type IV and V Systems** that this is also maintenance.

The consensus was to add the maintenance language.

William Lloyd stated in **2106.3 Class II and III solvents**, said this needs to remain. Disagreements with quantity direction.

Andrew Milliken agreed in **2108.4** to leave in, however, the language needs to be cleaned up. Reference to 906 is okay. Approved fire extinguishers for this purpose. It needs a pointer.

Cindy Davis asked if we said approved portable fire extinguishers shall be installed and maintained.

Vernon Hodge stated he thinks we need to un-strike that whole section.

Robby Dawson stated I agree with Vernon Hodge.

Cindy Davis said this was a good place to talk about quantities of materials. We were at a meeting that there was a discussion and we said we didn't know. Wonder if there was a dry cleaning facility under a code in the 1980's were permitted to have additional materials. Half said they could not remain, half said they could remain. She explained the position of the AGs office on this topic.

Virginia statutes and laws are written is to generally allow whatever was constructed at the time to remain and it could continue. Quantities can remain.

Kenney Payne asked that in **2108.4** that you are going to un-strike all of it?

Chapter 22 Combustible Dust-Producing Operations

Nothing

Chapter 23 Motor Fuel-Dispensing Facilities and Repair Garages

William Andrews stated in **2301.3** we need to keep these in order to know what's there.

Robby Dawson suggested that we needed to keep NFPA 30A in **2301.4 and 2301.5** since it contains many operational requirements.

Russell Furr commented on **2301.4.1** that this was operational to prevent flammable liquids to flow from one area to another.

Robby Dawson stated that in **2304.3.7 (2) Quantity limits** that this is operational and not regulated by the building code. This needs to stay here.

Robby Dawson commented that in **2306.1 General** that we need to change to the original language or at the very minimum keep the last part. This just changes the scope drastically.

Cindy Davis stated that the staff would check the storage requirements.

William Lloyd states that in **2306.2.1.1 Inventory control for underground tanks**. This is an existing amendment. Notify the fire official after consistent loss of product.

Anthony Barrero stated that in **2306.7.4 Dispenser emergency shutoff valve** This could be potentially fatal to everyone and especially first responders. Un-strike this.

Vernon Hodge stated we can't retroactively require it. We can un-strike where installed provisions.

Andrew Milliken suggested in **2306.7.5 Dispenser hose** that we un-strike this language.

William Andrews stated that in **2306.7.8 Gravity and pressure dispensing** that this is operational. Flammable liquids by gravity need to be regulated.

Cindy Davis said staff will look at this.

William Andrews said in **2306.8.1 Listed equipment** that this should be un-stricken.

Vernon Hodge stated we should un-strike it. **Consensus to un-strike**

William Andrews said in **2309.3.1.2.3 Ignition source control**. that the building code does not regulate these items. I suggest un-striking.

Cindy Davis agrees

Linda Hale stated that in **2310.3.4 Portable containers, 2310.6.1 Standpipe hose station and 2311.2 Storage and use of flammable and combustible liquids** needs to be un-stricken.

Robby Dawson stated that **2309.1 General** along with **2309.3.1 Location of operations and equipment and 2309.3.2 Canopies**, references Chapter 58

Andrew Barrero said that Chapters 20-30 strikes a lot of safeguard issues.

Vernon Hodge commented that if required it needs to be maintained.

Robby Dawson stated that in **2309.5.1.1 Vehicle fueling pad** , Hydrogen fueling needs to stay, or add verbage that the vehicle needs to be grounded, this is operational.

Linda Hale and William Andrews stated in **2310.3.4 Portable containers** to un-strike

William Andrews stated **2311.3 Sources of ignition** needs to be left in.

Cindy Davis indicated that this has been captured.

Emory Rodgers stated that public and private unattended motor fuel dispensing inconsistent will you please check into this?

Workgroup 2 (Fire Code Edits Only)
Virginia Housing Center
August 26, 2016

Cindy welcomed everyone and after attendee introductions, we started with **Chapter 24 of the Fire Code.**

Chapter 24 Flammable Finishes

2403.2.1, Electrical wiring and equipment.

Andrew Milliken asked to keep NFPA 70 reference, keep for maintenance.

2403.2.1.1 Flammable vapor areas.

Linda Hale keep NFPA 70 reference.

2403.2.1.2 Areas subject to deposits of residue.

Linda Hale says electrical equipment is struck. Why don't we want to maintain the electrical equipment?

Exception 1 of 2403.2.1.2

Linda Hale stated that there is nothing in here regarding maintenance.

Johnna Grizzard could we accept as permitted by applicable building code in which it was constructed and then leave the rest of it?

Linda Hale asked which flammable finishes they can use so that we know that the flammable limits have not changed or increased.

Richard Bartell stated you have to be aware of which building code was in effect during the time of construction to know what was allowed. You have to have reference to VCC and the appropriate year.

2403.2.1.3 Areas adjacent to spray booths.

Linda Hale stated that this is not just a construction statement we need to go back to the building official.

Johnna Grizzard stated I think this is the exact same language.

2403.2.5 Grounding.

Linda Hale stated that grounding maintenance language of NFPA 70 needs to remain.

Richard Bartell said shouldn't the VCC language regarding the building code that was in effect during the time of construction be included. If not, you are not going to know how to maintain unless you know what code was in effect when installed.

Emory Rodgers thanked Linda Hale for her comments For the proposed regulations; I am ok with NFPA 70.

Cindy Davis stated the grounding language should read something like this, the grounding must be maintained in accordance with the code under which originally constructed and in compliance with the maintenance sections of the applicable standards.

2404.3.1 Spray Rooms.

Linda Hale stated we need the maintenance capability language.

2404.3.1.1 Floor.

Linda Hale stated the cleaning operations need to be maintained in the code in which it was constructed.

Cindy Davis stated this language is specific to design and will be removed and placed in the appendix. We will say must be maintained in accordance in which it was constructed.

Robby Dawson (for the comment section) said if you want to place a Spray Room in, this is how it must be done? I can see a fire official saying you have to maintain it.

2404.3.2 Spray Booths.

Linda Hale stated the reference in NFPA 33 which has maintenance in it along with **2404.4.1 – 2404.8** are still applicable and should not be struck.

Cindy Davis stated that we will take a look at this.

Emory Rodgers stated that when we leave NFPA33 or NFPA70 references in, maybe we should direct the reader to the maintenance provision sections.

2403.2.1.4 Areas subject to overspray deposits.

Andrew Milliken stated we need to keep this.

2405 Dipping Operations.

William Andrews asked if the dipping tanks are going to be under the building code or portable tanks.

Glenn Dean said it doesn't have to be portable.

Johnna Grizzard said the building code sends you to the IFC. It is not exempt if it has hazardous materials.

Cindy Davis said that we would look at the whole 2405 Dipping Operations. If it is equipment it is exempt.

Richard Bartell stated it is the owner's decision as to what they use.

Emory Rodgers said we are leaving this in for maintenance. This language will be changed to maintenance language.

Glenn Dean stated it is being proposed in appendix N.

2404.3.2.5 Clear spaces. Robby Dawson stated maintenance provision should stay in. Take out shall be installed. Clear space must be maintained. Add shall be readily accessible for cleaning.

2404.3.2.5 Exceptions. Linda Hale stated that exceptions 1 & 2 were also struck.

Cindy Davis stated that when we struck the construction language in the fire code edit re-writes, we stated that we would go back and put maintenance language back in and place the construction requirements in the appendix. It is not showing up there yet, however, it will be placed there.

Glenn Dean asked if today was the last day for workgroup meetings.

Art Lipscomb asked when the comment period would stop.

Cindy Davis stated that the comment period never stops. For the purposes of putting it to the board, the board package needs to go out 10 days before the board meeting. Whatever comments we have up to this period will be forwarded to the board along with the new version. If there are comments between then we will probably take them to the board as a separate package because it will be too late to send out as part of the package. We are going to capture them; we are not going to ignore them. It will be revisited in October and then again in November.

The September board meeting requires a joint review by the SFPC joint code committee and the codes and standard counsel. They will take a look at each individual proposal and they will decide what to do with them based on what has been done at the workgroups. They are going to either approve them as consensus or non-consensus. Then in November the board will make a final decision.

We will have another chance to edit in the second half of the process with other workgroup meetings.

Henry Rosenbaum stated why not another meeting to go over comments. We would like to see the final version.

Cindy Davis stated that DHCD has blocked out every day next week for staff to work on this fire code edit to get the comments into cdpVA.

Robby Dawson stated why is this going so fast? This is such a big document, two weeks is not enough for everyone to look at, digest and make comments. I think this is inadequate time. I think this is the recommendation that should go before the board. I think that staff has the ability to make this decision.

William Lloyd stated “me to” that Robby Dawson speaks for a lot of us.

Linda Hale suggested the following:

2404.6.2.1 Glass panels. This is a maintenance issue to replace one appropriate glass panel with another. Keep.

2404.7.1 Operation. Linda Hale stated this is an operational section, why is it being struck? Keep.

Cindy Davis said we talked about this and this will stay. If it is there, it needs to be maintained.

2404.7.3 Air velocity. Keep, it needs to be maintained.

Cindy Davis stated she agreed.

2404.7.8 Filters. Must be maintained or replaced. Keep

2404.9.4 Electrical wiring. Keep

2405.3. Construction of dip tanks. All the maintenance will be kept

2404.7.2 Recirculation. Glenn Dean asked if this is taken out, what do I have to work with. It has to stay.

Cindy Davis stated she didn't understand the question. This language is going into the appendix.

Deidra Peterson stated she has a general comment we need to stay away from the blanket statement. We need prescribed maintenance codes.

Richard Bartell stated one size doesn't fit all. There are very few retroactive requirements in VA.

Andrew Milliken stated that we can't have every building code in our possession. Most jurisdiction do maintenance, however, with no pointer, there is no knowledge to know if there is a hazard. If we don't have pointers, what's to say that there isn't a hazard?

Cindy Davis stated the pointer is the end. You have to go to the back

You cannot site construction language in the fire code as a violation.

Johnna Grizzard asked can we revise the section to say air exhaust from spraying shall not be recirculated unless approved by the applicable building code.

Andrew Milliken stated taking out a lot of pointers could be hazardous.

Johnna Grizzard asked if we can deal specifically with this section.

2406.6 Sources of ignition. William Andrews stated maintenance stuff should not to be deleted.

2405.9.2 Flues. Linda Hale stated we should un-strike.

2406.2 Location. Powder coating operations, un-strike more operational.

Emory Rodgers stated that the VBCOA team was put together in August of 2015. We went through the bar code looking for design and construction. Maybe we didn't strike out or struck things we didn't need to. We knew from the beginning we knew we had to go line by line. We really appreciate your input. Staff is going to make edits. Make clear you can blame us for doing our best effort. It is a big process. The process will continue and we are here to work with you in a collaborative way.

Andrew Barrero stated he sent DHCD his comments and asked if they were captured.

Cindy Davis stated that we have them. These are separate, the summaries and the public comments.

2506 Ethylene Generators. William Andrews asked about portable generators. This should be unstruck.

2503.1 Location. Andrew Milliken stated we should un-strike.

Johnna Grizzard lets leave that.

2504.1 Ignition prevention. Linda Hale stated we should un-strike.

William Lloyd stated that this can be explosive.

Chapter 26

None

Chapter 27

William Lloyd the majority of the chapter process of fabricating semiconductors. Most materials are toxic, corrosive and combustible.

2701.4 Existing buildings and existing fabrication areas. un-strike

2703. Emergency control station. un-strike

2703.3 Construction requirements. Un-strike. This is a control system.

2703.3.3. Liquid storage rooms. The reference to Chapter 57 has been deleted. un-strike.

Cindy Davis stated this is an area of disagreement. It is not clear.

2703.7.2 Workstations. Andrew Milliken stated to keep the NFPA maintenance language.

2703.3.5 Gas cabinets. Linda Hale stated that portable cabinets should be provided and maintained. Un-strike

Emory Rodgers stated we need more discussions on this.

Cindy Davis stated we will look at it. Should be provided and maintained.

2703.3.8 Service corridors. Un-strike.

2705.3 Transportation and handling. Un-strike and change to operations.

2703.10.1.1 Combustible work stations. Maintain as was designed

Chapter 28

2803.4 Electrical equipment. Chris Anderson suggested adding the maintenance provision. Keep in NFPA70 reference.

2804.2 Fire alarms. Chris Anderson suggested language “approve means for transmitting fire alarms to the fire department shall be maintained in accordance with the applicable building codes.” Approves when it is required.

2807.2 Size of piles and Exception. Chris Anderson wants to un-strike the references.

Johnna Grizzard is there an issue with it being approved as defined in the fire code by a fire official?

Richard Bartell stated we don't regulate a lot of these.

Robby Dawson asked if there was a change of definition of approved.

Cindy Davis stated not currently, but I think we will have to. Referencing for both code official and fire official approval may be better stating approved by the authority having jurisdiction. This is better yet.

2808.7 Pile fire protection. Glenn Dean asked outside of the building, if we were talking about the same thing, the conveyor and enclosure.

Cindy Davis said we will check on this. Are you proposing to un-strike this and add a sprinkler system? Are you proposing a retroactive fire sprinkler?

Rick Witt stated conveyors were exempted from the building code.

Andrew Milliken asked how this is retroactive if it is not required by the building code.

George Hollingsworth asked if a piece of equipment brought into a building as content, it requires a sprinkler system to make it safe? It is not a change of use.

Cindy Davis stated that Change of Use also includes the change of a level of hazard. If it has changed it will need a sprinkler system. A retroactive requirement for a conveyor system for a sprinkler system, where is the authority to require this?

Johnna Grizzard stated maybe the conveyor is hazardous material. We need to take a look at this. Take it out or leave alone.

Emory Rodgers asked if any piles stored in VA that are sprinkled.

Linda Hale stated yes. In Loudoun County we have wood chip processors. They are very careful because if there is a fire, it would burn up their profits.

Glenn Dean stated we would have to access and evaluate what is in front of me.

Robby Dawson asked if there have been any complaints for a sprinkler system.

Andrew Milliken said this is in the fire prevention code for a reason.

Cindy Davis stated again that this is to take out only legally unenforceable provisions. We are going to put a big question mark on it to verify this and move on.

Chapter 29

2904.3.2 Vehicles. Russell Furr stated that this is a grounding and bonding issue. It needs to be unstruck.

2903.1 Building features and 2903.2 Location. Andrew Milliken stated a pointer is needed.

2904.3 Bonding. Russell Furr stated this is a fire hazard and we need to un-strike.

2905.4 Explosion control. Andrew Milliken stated we should keep the first sentence and strike the rest.

William Lloyd stated that the majority of this chapter clearly says where they can conduct the activities.

George Hollingsworth said the fire inspector and the maintenance inspector are the only ones who see if an occupancy has changed.

Cindy Davis said nothing is changing.

Richard Bartell stated the building official only sees on the site visit of an existing building. No one ever tells us that someone is doing something wrong.

William Lloyd said one of the tools fire official uses comes out of Title 27 and Chapter 1. If you put it in the appendix, it is not enforceable and the fire official cannot stop the process.

2909.6 Finished products. Linda Hale stated this must be maintained.

Andy Wilson stated we should add maintained.

2909.2 Tank storage. Linda Hale suggested to un-strike.

2909.4 Nitrocellulose storage. Andrew Milliken suggested we un-strike.

2906.1 Mills. William Lloyd stated that process mills were exempted from the building code.

Cindy Davis stated this was noted.

Chapter 30

Anthony Barrero stated he has concerns about going so fast.

Emory Rodgers said that when Anthony Barrero talks about public safety guidelines, this doesn't impact your jurisdiction.

Robby Dawson asked if all industrial ovens are regulated by the building code. They are pieces of equipment that may not be regulated by the building code.

Cindy Davis stated so that everything that goes into the equipment, the fuel gas, pipelines, and supplies of this oven are regulated by the code. It is not exempt.

Robby Dawson says, however, the oven is not regulated.

Cindy Davis said we want to make sure we are capturing your comments. If a piece of equipment which has been decided to be exempted under the building code, it is now to be regulated under the fire code.

3003.2 Exposure, 3003. 3 Ignition source, and 3003.4 Temperatures. Andrew Milliken suggested these need work.

Jerry Swain with Loudoun County said they have portable kilns which are not covered under the building code. How do we apply maintenance to this section?

Emory Rodgers stated if there is an industrial oven that has components, such as 3007 which is covered and those not covered 3007.4, if it needs tweaking it is fine. I don't think the struck language needs to be unstruck because of construction requirements.

Chapter 31

3103.2 Approval required. Chris Anderson suggested shouldn't this be 900 sq. ft. so it is consistent with Chapter 1?

Cindy Davis said we had a discussion with the edit committee that it needed to stay at 400 sq. ft. because there had to be a way to regulate the smaller ones if they didn't fall under a building code.

Richard Bartell says it causes problems with 400 and 900.

Vernon Hodge said this will be addressed by a proposal that has been placed in cdpVA regarding this issue. It will address the whole section.

Emory Rodgers asked if this was a consensus.

Vernon Hodge stated yes.

Chapter 32

None

Chapter 33

None

Chapter 34

3401.1 Scope. Andrew Milliken stated if it is illegal they need to get a permit to start over. Correct?

Chapter 35

None

Chapter 36

3604.2 Standpipes. Robby Dawson said this is not a structure, it should stay in.

Rick Witt stated it is regulated.

Monty Willaford said he grew up in Deltaville and a boatyard and the boatyard should stay in.

3604.3 Access and water supply. Andy Wilson stated we should add boatyard.

Richard Bartell said we need a defined term.

Rick Witt said he has a question on this section. We need a code change for this.

Chapter 37

None

Chapter 50 Hazardous Materials-General Requirements

5001.3.3.8 Detection of gas or vapor release. Deidra Peterson stated this needs to stay.

Glenn Dean stated there is no reference to a building, structure or system. This should be operational. This should stay.

5001.3.3.4 Spill mitigation. Robby Dawson says this applies to this section as well. This should stay. Leave as is. Consensus.

Monty Willaford stated this is 2 excellent examples of why there is so much disagreement. Throughout this process, a group of people in which the majority of them have never enforced the fire code, looked through here with tunnel vision and made these determinations and everything was construction oriented. A lot of it is not. We deal with people in fires. We want to make the citizens in the Commonwealth as safe as they can be.

Cindy Davis believes this was a typo. We will un-strike.

George Hollingsworth said you have to have a plan.

Cindy Davis stated so you are saying if we remove the construction requirements and the retroactive reduction of quantities then we don't necessarily mean the maintenance and the scope. Suggestion is to take out maintenance.

Cindy asked if adding operation and maintenance would solve the issue.

5003.1.1 Maximum allowable quantity per control area. Jerry Swain asked what we do about the buildings that were built before this was adopted.

Richard Bartell said the red book addresses chemical storage in schools. I don't recall how they address chemical storage.

Johnna Grizzard stated she thinks if a new chemical is being used that was not covered or you can't classify them with the public safety regulations, you would apply a Change of Occupancy.

Michael Maenner stated previously there were no sprinklers so during the course of the building construction, when sprinklers became introduced into the buildings, we allowed increased rates of hazardous materials in a lot of cases.

So where there is a sprinkler system in there, they allowed increased hazards. In the older building code, no sprinklers and there was all compartmentation.

Russell Furr stated if you used it before and now it is extremely hazardous and has been deemed very unsafe. Now what.

Andrew Milliken stated we have to have some standard.

Anthony Barrero stated that the removal of hazardous materials is advocated by this workgroup because it is a direct threat to firefighter's safety as first responders.

Richard Bartell said the law needs to be changed.

Monty Willaford said the issue I have is the moderator makes the decision to strike or un-strike.

Rick Witt stated we need to move on.

George Hollingsworth asked if you take the quantities out of the fire code, I have nothing to write up. We feel this is an issue.

Robby Dawson says in Chapter 1 of the SFPC says the appendices are not enforceable unless the locality that has jurisdiction has specifically adopted it. Can I adopt appendix N? We have a code now that we are enforcing that no one has an issue. We are going to through this out. Don't break it by trying to fix it.

Glenn Dean said Emory Rodgers mentioned a proposed change to hazmats for colleges and universities labs. Based upon everything he is hearing today and at past meetings, if that proposed change is adopted, an existing laboratory that wants to take advantage of something that is more liberal in that proposed change, comes to me and wants to get a different permit and he says "No", they don't get the benefit of this change. Emory Rodgers stated that he should be sent to the building official at this point.

5003.2.6.2 Defective containers and tanks. Russell Furr said to un-strike. Consensus to un-strike.

5003.1.3 Quantities not exceeding the maximum allowable quantity per control area. And 5003.1.4 Quantities exceeding the maximum allowable quantity per control area. Jerry Swain has objections to taking away the quantities by striking.

Richard Potts stated we will flag this for staff to review.

5003.2.1 Design and construction of containers, cylinders and tanks. Linda Hale stated this also needs to be unstruck.

Richard Potts stated we will flag this for staff to review.

5003.2.6.2 Defective containers and tanks. Robby Dawson stated we need to un-strike this.

Richard Potts said we are un-striking this.

5003.2.8 Seismic protection. Linda Hale where provided it should be maintained. Un-strike.

5003.8.3.5 Hazardous material in Group M display and storage areas and in Group S storage areas. Jerry Swain stated this is operational and needs to be unstruck.

5003.11 Group M storage and display and Group S storage. Robby Dawson asked where we stand with this section.

Vernon Hodge stated that just because we are saying to un-strike something doesn't necessarily mean it will be. We are going to flag these sections and the staff will review.

5003.11.2 Maximum allowable quantity per outdoor control area in Group M. Glenn Dean stated this is outdoor. Flag to review

5004.2.3 Containment pallets. Russell Furr stated this is dealing with outdoor. Flag to review

5004.2. Exception Spill control and secondary containment for liquid and solid hazardous materials. Glenn Dean said to un-strike. Flag to review

Robby Dawson asked if the building code regulates store displays.

Richard Bartell said yes, the building code regulates the height, not the table but the height of the displays.

Outdoor tank provisions. Flag to review

5003.11.2 Maximum allowable quantity per outdoor control area in Group M or S occupants. Robby Dawson has a question about this. Flag to review

Glenn Dean asked where in the USBC, can he find or make references.

Johnna Grizzard stated maybe it should say not to exceed 6' unless otherwise approved.

Robby Dawson stated storage and display is not a building code issue.

Johnna Grizzard suggested keeping the height.

5004.2 Spill control and secondary containment for liquid and solid hazardous materials. Andrew Milliken said this is the primary section. Flag to review

5003.11.3.3 Container location. Jerry Swain clearly takes about containers less than 4 gallons. Un-strike. Operational in nature.

Review all subsections on this.

5003.9.8 Separation of incompatible materials. William Andrews asked if this is being deleted. Flag to review

5003.11.3.7 Incompatible materials. Jerry Swain said we struck this section, however in **5004.2.2.2 Incompatible materials** this was not struck. Flag to review

5005.1.6 Supervision and monitoring. Linda Hale stated the maintenance language is in here. Flag to review

5005 Review the entire outdoor subsections. Monty Willaford and Linda Hale said we need to review the outdoor section.

Chapter 51 Aerosols

5101.1 Scope. Deidra Peterson should remain the same. It references NFPA 30B

5104.1 General. This also references NFPA 30B. This should remain

5005.4.4 Dispensing, use and handling. Andrew Milliken said this section deals with hazardous materials. All agree with this -- consensus

Monty Willaford said anything that would help the spread of fire from aerosol cans, etc. please put back. Flag to review

5104.1.1 Plastic containers. William Andrews said to keep. Flag to review

5104.2.1 Excess storage. Jerry Swain said clearly this is operational so un-strike.
Flag to review

Chapter 52 Reserved (None)

Chapter 53 Compressed Gases

5303.16.6 Vehicle impact protection. Russell Furr said to un-strike.
Consensus of the group was to keep the vehicle impact protection section intact.

5301.1 Scope. Robby Dawson believes this is problematic. He stated the scope shall only apply to the storage, use and handling of compressed gases where such provisions are not governed by the USBC. It only applies when the building code doesn't. Flag to review

Johnna Grizzard believes it is a problem the way it was written. She thinks the scope needs to be re-written and leave in. Just tweak the language.

William Lloyd said if he comes across something not covered by building code, first off compressed gases are not addressed in the building code. If he does look in the building codes, it sends him back to the IFC. We have to purchase multiple books to find the answer.

Robby Dawson said to take the new language out.
Flag to Review

Andrew Milliken realizes this is a large document. This is a huge undertaking. We believe this is different than the other codes.

5303.16.4 Internal clearance. Linda Hale believes it needs to be unstruck.
Flag to review

5303.16.13 Accessway. Linda Hale believes it needs to be unstruck.

5306.16.11 Liquid removal. Russel Furr stated it needs to be unstruck and the reference of NFPA 70 needs to stay. Flag to review.

Chapter 54 Corrosive Materials

5404.2.1 Above-ground outside storage tanks. Andrew Milliken stated the secondary containment language needs to be unstruck. Some language needs to be added.

Richard Bartell said what about adding the secondary containment shall be made in accordance with the applicable building code?

Andrew Milliken stated at a minimum that would be ok.

5305.5 Venting. Emory Rodgers asked to review this.

Chapter 55

5503.6.2 Electrical grounding and bonding. Robby Dawson striking out NFPA 70. Cindy Davis stated we are ok with that. Consensus

5403.1 Quantities not exceeding the maximum allowable quantity per control area and

5403.2 Quantities exceeding the maximum allowable quantity per control area.

Flag for review

5503.5.2 Securing of containers. Chris Anderson suggested adding something that indicates they shall be secured in accordance with the building code.

5503.10 Lighting. Chris Anderson asked to un-strike. ok with that

5504.2.1.1. Containers. Andrew Milliken asked to un-strike. Flag to review

5505.4.1.1 Ventilation. Robby Dawson asked to scratch the exception. Flag to review

5504.2.2.3 Ventilation. Glenn Dean asked to replace with maintenance language.

Compare with **5305.5** another similar ventilation section. Flag to review.

Cindy Davis said the reference to the IMC ventilation where required or installed must be maintained in accordance with the code in which it was installed.

5504.2.2 Portable containers. Andrew Milliken said we need to add shall be maintained...Flag to review

Chapter 56 Explosives and Fireworks

5601 Scope. Jerry Swain asked what was the reason behind this one. Scope should be left as is.

Cindy Davis stated as we mentioned in previous sections, you are suggesting to leave the Scope as is and if there are any construction requirements then they should be removed.

George Hollingsworth said when you are regulating the contents of a building, sometimes it may require the person to go back and get a building permit. The contents are a fire official's job and deciding how the building is going to be handled is the building official's job.

5605.3 Intraplant separation of operating buildings. Flag to review
Cindy Davis asked if anyone had an issue with this. No one responded.

5604.1 General. Jerry Swain said there may be other similar sections.

Cindy Davis stated we can take out maintenance and operational and leave storage.

Robby Dawson added that the last sentence should be taken out. This creates a conflict.

5604.2 Magazine required. Exceptions. Jerry Swain said to leave this

Cindy Davis asked if everyone was ok to leave this. OK

5605.4.1 Determination of net explosive weight for operating buildings. Jerry Swain said this could be operational and construction as well.
Ok to leave.

Johnna Grizzard said you could use this to force a change of occupancy.

5605.6.4 Quantity limits. Jerry Swain said we should add approved by which it was constructed.
Add approved load limits. Flag to review.

Glenn Dean said not to strike this.

Chapter 57

5701.2 Andrew Milliken asked if we are changing these and placing them in the appendix.

Cindy Davis stated the section stays and maintenance language stays and the N indicates there is additional construction requirements for new construction that you may want to look at for guidance.

5701.5 Material classification. Jerry Swain asked why we struck this.
This is operational.

Cindy Davis said I think I agree with you. Does anyone have any objections for un-striking this?
No one responded.

5701.11. Emory Rodgers stated we may need to take a look at this. Flag to review.

5703.1.1. Classified locations for flammable liquids. Deidra Peterson asked that the general requirements for flammable liquids remain unchanged. A table was also taken out. Flag to review.

5703.4 Spill control and secondary containment. Emory Rodgers asked for further review of this.

George Hollingsworth also stated that if this is exceeded, why this was taken out.

Richard Bartell said he agreed. Cindy Davis agreed

5704.2.8.5 Anchoring. Linda Hale said this needs to be maintained. Flag to review

5704.2.8.4 Internal clearance. Jerry Swain mentioned this is the same language as one of the previous chapters. This is operational. Flag to review. Cindy Davis said we agreed to un-strike the previous one.

5704.2.8.6 Vehicle impact protection. Jerry Swain mentioned this is the same language as one of the previous chapters. Flag to review. Cindy Davis stated we agreed to un-strike the previous one.

5704.2.9.7.7 Spill containers. Andrew Milliken asked to un-strike. Flag to review
This is speaking to scope. Cindy Davis agreed.

5704.2.8.12 Liquid removal. Jerry Swain said this could go either way. Cindy Davis agreed.

5704.2.8.17 Classified area. Jerry Swain said this takes away the safety element. Cindy Davis said we agree.

5704.2.8.15 Accessway. Flag to review

5704.2.10.4 Combustible materials in diked areas. Andrew Milliken asked to un-strike. Cindy Davis agreed.

5704.3.3.5 Shelf storage. William Lloyd stated this one and sub points deal with shelves. You don't need a building permit to put in shelves. This is not construction related.

Cindy Davis said we will put in code for which it was constructed. Flag to review

George Hollingsworth said this doesn't state whether it is fixed or unfixed shelving.

Emory Rodgers stated he believes this section needs more work.

George Hollingsworth maybe this needs a code change.

5704.2.7.5.4 Manual gauging. Andrew Milliken stated this was operational. Cindy Davis stated she was ok with un-striking.

5704.2.7.6 Repair, alteration or reconstruction of tanks and piping. Andrew Milliken said the last sentence needs to stay. Cindy Davis said ok.

5704.2.7.5.6 Location of connections that are made or broken. Jerry Swain stated the last sentence needs to stay, Flag to review.

5704.3.7.2.2. Separation and aisles. Jerry Swain asked to un-strike. This is operational. Flag to review

5704.3.3.6 Rack storage. Andrew Milliken said this should be un-stricken.

William Lloyd stated this is not referencing fixed racks. Flag to review

5704.4.2.2 Access. along with **5704.4.2.3. Security.** Linda Hale said this is not construction. Un-strike

Cindy Davis said she agreed with this. Flag to review

5704.4.4 Security. William Lloyd said this applies to the same thing. Flag to review

5704.2.9.2.2 Foam fire protection system installation. Emory asked about this one. Flag to review

5705.2 Liquid transfer. George Hollingsworth said this is an operational issue (whole section). Cindy Davis said if not regulated by the building code. Flag to review.

5705.3 Use, dispensing and mixing inside of buildings. Flag to review
If not regulated by the building code.

5705.3.8.1. Spill. Jerry Swain said we need to review because of the same issues in all of 5705.

5705.3.3 Heating, lighting and cooking appliances. Linda Hale said it does not rule out portable. Un-strike. Flag for review.

5706.2.6 Spill control drainage control and diking. Jerry Swain said not sure what language to use.

Cindy Davis said we will take a look at the spill control language. Flag to review.

5706 Special operations relating to fences. Flag to review

5706.5.1.18 Security. Jerry Swain says the location of the vehicle inside the fence which would be operational. Flag to review

Chapter 58

5801.1 Scope. Russell Furr said to un-strike. Cindy Davis said she is ok with un-striking this.

5803.1. Quantities not exceeding the maximum allowable quantity per control area. Un-strike Flag to review

5706.4.3 Heating. George Hollingsworth said to un-strike

Cindy Davis said she is ok with un-striking this. The maintenance language needs to be added throughout.

5706.6 Tank vehicles and vehicle operation. Jerry Swain just leave maintain in here.
Cindy Davis said to un-strike.

5806.4.4 Anchorage and security. Linda Hale said we need to add maintenance language.
Cindy Davis said she agreed.

5808 Hydrogen Fuel Gas Rooms. Linda Hale said we need to add maintenance language.
Cindy Davis said she agreed. We will make sure maintenance language gets in here.

Chapter 59

5904.1.3 Basement storage. Russell Furr said we need to add the maintenance language. Flag to review

Cindy stated that if we changed this to maintenance language and added that liquids would not be stored in basements unless approved under the code in which it was constructed.

5801.1 Scope. Linda Hale said this is operational. Maintain doesn't add anything.

Cindy Davis said she agrees to take this out in previous scoping sections.

5906.5.1 Melting pots. Linda Hale asked if all melting pots permanent fixtures?

5904.1 Indoor storage. George Hollingsworth had a question regarding the standards.
Flag to review.

Cindy Davis asked if George had language he would like used, please e-mail to her.

5906.4.1 Separation. Linda Hale stated this is operational. Cindy Davis said she agreed this is operational.

Chapter 60

6004.1.1 Special limitations for indoor storage and use of occupancy. Jerry Swain said this deals with highly toxic compressed gases.
Cindy Davis said we will un-strike the whole section.

6003.2.5 Weather protection for highly toxic liquids and solids-outdoor storage or use. Linda Hale said this has to have a sprinkler system if it has a roof over it. Flag to review.

6004.1.1.1 Group A,E,I or U occupancies. George Hollingsworth said this is talking about toxic gases. Flag to review

Chapter 61

6103.1 General. and **6104.1 General.** Russell Furr asked to add NFPA 58 to both of these. Cindy Davis said we need to add the applicable maintenance language of NFPA 58.

Richard Bartell said it should say installed.

6101.1 Scope. Jerry Swain said this scope should be similar to other scopes and suggests to leave as it was. Flag to review.

Chapter 62 Organic Peroxides

6201.1 Scope. Linda Hale said to treat this similar to other scopes.

William Andrews asked as far as the storage is concerned are the building codes going to cover?

6203.1.1.2 Group R occupancies. Linda Hale said this is an operational aspect. Flag to review

Chapter 63 Oxidizers, Oxidizing Gases and Oxidizing Cryogenic Fluids

6303.1.1.1.2 Group R occupancies. Linda Hale said this is operational. Flag to review

6303.1.1.2 Class 3 liquid and solid oxidizers. Jerry Swain said a portion of this is operational. Flag to review

6303.1.2.1 Shutoff at source. Russell Furr asked about automatic shut offs. Then he stated never mind. Flag to review

6303.1.3. Ignition source control. William Andrews said this needs to account for portable ignition sources being brought into the area.

Chapter 64 Pyrophoric Materials

6404.1.4 Separation from incompatible materials. Exception. Russell Furr said this is operational and is similar to others we have talked about earlier. This needs to be maintained. Flag to review

6304.1.2 Automatic sprinkler system. Linda Hale had questions on this. Flag to review

Chapter 65 Pyroxylin (Cellulose Nitrate) Plastics.

6504.1.3 Storage of additional material. and 6504.1.5 Accumulation of material. Andrew Milliken asked why this was struck. Do we have a threshold to say accumulation is prohibited? Un-strike Flag to review

Robby Dawson said the same would apply to **6504.1.1 Storage of incoming material.** So we should un-strike.

Cindy Davis asked about thoughts and stated we would review this further and possibly say accumulation is prohibited.

Robby Dawson asked how do you define accumulation is prohibited?

Chapter 66 Unstable (Reactive) Materials

6603.1.2 Limitations for indoor storage and use by occupancy. Russell Furr stated there is no reference to anything here.

Jerry Swain said in 6603.1.2-6603.1.2.5 suggests how dangerous this is. This should stay because of being such a hazard. Flag to review

Glenn Dean said storage and use be maintained by the applicable building code. How is use regulated?

Andrew Milliken said un-strike and add be maintained by the applicable building code.

Cindy Davis said she thought we were in agreement.

6604.1.4 Storage configuration. Linda Hale asked if this was in an earlier section. Flag to review

6604.1.5 Location in building. Russell Furr said shall not be stored in basements.

Cindy Davis said we will come up with language similar to previous locations in buildings.

Chapter 67 Water-Reactive Solids and Liquids

6704.1.4 Water tight containers. William Andrews said to un-strike
Take a look at Chapter 4, leave maintenance language.

Russell Furr stated we may want to look at **6704.1.5 Storage configuration.**

Cindy Davis said it makes sense, we will un-strike. We will take a look at Chapter 4, and leave the maintenance language.

Robby Dawson said he still has an issue with this going before the board in less than 2-weeks without an opportunity for us to comment on this. I think DHCD has done a good job on this.

ORIGINAL

1

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
PUBLIC HEARING

July 18, 2016

Kyle T. Flanders, Policy Analyst
Virginia Department of Housing and
Community Development

When heard at:
12:30 p.m.
4224 Cox Road, Henrico Room 1
Glen Allen, Virginia

CRANE-SNEAD & ASSOCIATES, INC.
4914 Fitzhugh Avenue, Suite 203
Henrico, Virginia 23230
Tel. No. 804-355-4335

1 July 18, 2016

2

3 MR. AINSLIE: Good afternoon, everybody.
4 Thanks for coming out. My name is John Ainslie and I
5 currently serve as chairman of the Virginia Board of
6 Housing and Community Development. The board is holding
7 a public hearing today to receive comments of assistance
8 with the development regulations currently under
9 consideration.

10 At this point, it is my pleasure to welcome
11 the other members of the Board of Housing and Community
12 Development as well as the Virginia Fire Services Board.

13 Before we begin to receive comment, I would
14 like to explain how the hearing will be conducted.

15 Anyone wishing to speak should sign in at the
16 registration desk near the door. Comments offered by a
17 previous speaker need not be repeated. The speaker may
18 establish their position on any point simply by
19 referring to the earlier statement which expresses his
20 or her position. We ask that each speaker limits
21 remarks to three minutes due to the number of people we
22 expect to comment on the various issues.

23 We welcome the submission of written
24 statements; in such cases oral comments are not
25 necessary. The Board will review all written materials

1 that are submitted. If you have written statements
2 today, please leave them with Kyle Flanders.

3 Kyle, if you'll raise your hand.

4 And by the way, Kyle will also be our
5 timekeeper. We -- as I mentioned earlier, it will be
6 three minutes. He's going to hold up a yellow card when
7 you have approximately 30 seconds left and a red card
8 when your time has expired.

9 We will receive public comments or proposed
10 regulations in this order:

11 First, the Uniform Statewide Building Code,
12 next, Virginia Fire Prevention Code, then the Virginia
13 Amusement Place Regulations, and lastly, the
14 Industrialized Building Safety Regulations.

15 I now open the public hearing and call the
16 first speaker. It's Garrett McGuire.

17 MR. MCGUIRE: Good afternoon. Thank you
18 for holding this hearing today. My name is Garrett
19 McGuire. I'm the manager of State Government Affairs
20 for the Air-Conditioning, Heating, and Refrigeration
21 Institute with the National Trade Association
22 representing more than 300 manufacturers of quality,
23 safe, efficient, innovative residential, commercial and
24 industrial air conditioning, space heating, water
25 heating, commercial refrigeration equipment, and the

1 components for sale in North America. AHRI's members
2 account for more than 90 percent of HVACR water heating
3 equipment manufactured, sold, and installed in North
4 America. Additionally, the HVAC industry provides the
5 manufacturers, distributors, and contractors provides
6 over 36,000 jobs to residents of the Commonwealth.

7 I'm here today on behalf of AHRI's
8 flexible, metallic gas piping system product section.
9 This product section includes manufacturers of
10 factory-designed and prefabricated products used as part
11 of the building's gas distribution system or to connect
12 gas-fired appliances and equipment to the buildings'
13 distribution system. These products include corrugated
14 stainless steel tubing or CSST systems listed in
15 compliance with ANSI standard LC1.

16 Since the early 1990s, homes in the United
17 States have had yellow CSST tubing installed in over 6
18 million homes to supply natural gas or propane to
19 furnaces, water heaters, and other gas appliances.
20 AHRI, with guidance from CSST manufacturers, several
21 other interested associations of stakeholders, have
22 embarked on a nationwide safety campaign to bring
23 awareness to homeowners on the importance of proper
24 bonding of yellow CSST due to potential damage risk
25 associated with lightning.

1 Direct or indirect lightning strikes on or
2 near a structure have been shown to cause an electrical
3 surge to travel into the structure and have, in some
4 cases, caused a perforation in the sidewall of the
5 tubing as energy arced from one metallic system to
6 another, seeking ground. This arcing can ignite the
7 pressurized gas leaking from the perforation and in some
8 cases may lead to a fire. Bonding is provided to
9 primarily prevent possible electric shock to people who
10 come in contact with the gas piping and other metal
11 objects connected to the grounding system. Independent
12 research has confirmed proper bonding and grounding
13 significantly reduces the risk of damage and fire from
14 an indirect lightning strike.

15 AHRI would like to see the update of the
16 Virginia Building Code include a section to insure all
17 home inspectors make a written notation of yellow
18 corrugated stainless steel tubing, CSST, as seen during
19 the course of their inspection. Further, if observed,
20 the inspector to notify the homeowner in writing that
21 only a licensed electrical contractor can determine if
22 yellow CSST is properly bonded and grounded per the
23 current National Fuel Gas Code and as required by the
24 manufacturer's instructions. Texas, Oklahoma, and
25 Maryland have updated their building codes to include

1 this provision for home inspectors, and we believe this
2 important code addition will provide homeowners
3 important safety information. Thank you very much.

4 MR. AINSLIE: Thank you. Next speaker,
5 Bill Spencer.

6 MR. SPENCER: Thank you. My name is
7 Bill Spencer. I represent the National Association of
8 State Fire Marshals. The principal membership of NASFM
9 is comprised of senior fire officials in the United
10 States.

11 The primary mission of the NASFM is to
12 protect human life, property, and environment from fire
13 and related hazards. In alignment with our mission, we
14 have been working in cooperation with CSST manufacturers
15 the past four years to raise awareness on the importance
16 of bonding yellow CSST from approved safety when
17 considering indirect lightning. We have made great
18 strides in this effort reaching a potential 35 million
19 homeowners across the nation. Given our deep
20 safety-driven interest and understanding of CSST and
21 related risks, this is a priority national safety
22 campaign for our state fire marshals around the country.

23 Lightning strikes occur approximately 25
24 million times each year in the U.S. as reported by the
25 National Severe Storm Laboratory. Storm producing

1 lightning strikes threaten millions of homes nationwide
2 because millions of homes built in the 1990s contain
3 yellow corrugated stainless steel tubing. Since the
4 mid-2000s, codes and standards that govern how a
5 building is built and how it is maintained are changing
6 in recognition of this issue, and would like that
7 manufacturers' installation instruction also change in
8 response to the hazard.

9 In Virginia, there are 317,634 average
10 flashes per year which occurred, 7.9 flashes per square
11 mile. NAFSM is engaged in a state-by-state effort to
12 raise awareness. We have worked with public officials
13 producing public service announcements, distributing
14 educational flyers through the mail and social media,
15 and publishing notices on the proper bonding of yellow
16 CSST. We have launched a comprehensive website on the
17 yellow CSST safety campaign at CSSTsafety.com. Two
18 significant actions have given this important yellow
19 CSST public safety campaign credibility and added
20 attention. U.S. Senate passed a resolution calling on
21 state regulatory bodies with the authority over
22 buildings codes with violation to bring awareness to
23 homeowners with proper bonding of yellow CSST. And the
24 Congressional Fire Service Institute also passed a
25 resolution on the same issue.

1 Further, we have partners and are working
2 closely with the American Gas Association, National
3 Association Insurance Commissioners, Insurance Institute
4 for Business and Home Safety, and other industry --
5 industry companies. We worked with the Oklahoma
6 Construction Industry Board, a governor-appointed board
7 with authority over state building codes. Some are to
8 include the inspection of CSST on the real estate home
9 inspection list.

10 Additionally, in the spirit of home safety
11 and awareness, the Counsel of State Governments adopted
12 the Oklahoma CSST home inspection rules model
13 legislation CSG as distributed in the CSST home
14 inspection model legislation. The legislators
15 throughout the country for consideration to push the
16 legislative process. A similar process is that we
17 passed the Texas Home Inspection in 19 -- 2015 and the
18 home inspection was enacted in Maryland 2014 which was
19 led by the Department of Labor.

20 So I understand that Virginia follows the
21 2012 International Fuel Code Gas, IFGC, and a portion of
22 the CSST bonding requirement. These are all amount of
23 codes that direct bonding of CSSTs since 2009. However,
24 we're looking at the legacy homes where yellow CSST has
25 been previously installed and which may not be directly

1 bonded.

2 So as to finish up -- is that the red?
3 Sorry. We seek support from your board and request that
4 the inspection of yellow CSSTs and direct bonding be
5 included on the home inspection checklist which may be
6 performed at the same time of home transfer -- securing
7 the support for the real estate community and home
8 inspectors of Virginia. It's an important avenue in
9 upgrading installation. Thank you.

10 MR. AINSLIE: Thank you. And could I
11 remind the speakers, please use the microphone, this is
12 a big room, so people in the back can hear. Next
13 speaker is Ron Reynolds. Mike Toalson.

14 MR. TOALSON: Good afternoon. Mr. Chairman
15 and members of the board, Mr. Shelton, I'm Mike Toalson.
16 I'm chief executive officer of the Home Builders
17 Association of Virginia. For those of you who don't
18 know, HBAV is a 3200 member organization of home
19 builders and land developers and companies that provide
20 products and services to the homebuilding industry.

21 I'd like to begin this morning by
22 commending Deputy Director Cindy Davis and Mr. Shelton
23 again for including in this building code process
24 stakeholders from every constituency that has interest
25 in that code. I think that that process is one now that

1 has received national recognition and have, kind of,
2 developed into what we all know in regulating
3 communities, "Virginia-way." In fact, I'm happy to say
4 that as a result of the way DHCV conducts its regulatory
5 actions every three years, now the Department of
6 Environmental Quality, the Virginia Department of
7 Transportation, the Virginia Department of Health, and
8 even DPOR now always include stakeholders that they --
9 they begin the development of regulations. This is a
10 process that has worked and has been valuable and I
11 think Virginia has been recognized for it.

12 Secondly, I'd like to make the quick point
13 that we hope you will move forward in this code cycle
14 with a cost-benefit ratio, kind of, value in place. The
15 previous boards have adopted that, and I would urge you
16 to make sure you proceed on those lines as well. In
17 fact, I think I provided you in my written comments a
18 copy of section 3699 of the Code of Virginia. What that
19 makes clear is, is that the building code instructors
20 should be permitted or to be instructed, rehabilitated,
21 maintained at the least possible cost. That's in the
22 Code of Virginia, and I would urge you to adhere to
23 that.

24 Third, I would encourage the board to -- I
25 lost my train of thought -- third, I encourage the board

1 to maintain the amendments that were docketed into the
2 ICC family of codes in the 2009 to 2012 cycles. I think
3 those were done after significant deliberation with a
4 lot of thought from a lot of stakeholders, and I would
5 urge you to maintain those.

6 I'm crossing over here just a little bit,
7 so if you'll give me my apologies I would simply state
8 that HVAV does support the effort of the board to bring
9 clarity to state fire prevention code. We think that as
10 a member of the regulated community, any ambiguity that
11 you can be -- any ambiguity that can be terminated as a
12 result of that action will benefit the regulated
13 community.

14 Finally, I will ask you refer to the chart
15 on the last page of my written comments. What that
16 displays is the current status of the homebuilding
17 industry in Virginia. And you heard in your board
18 meeting, we are a 47 and a half billion dollar industry.
19 What you didn't hear, as a result of that study, we
20 employ 314,000 Virginians. And as you will see on this
21 chart, we are currently building new housing at a rate
22 equal to 50 percent of the rate of new housing in 2003,
23 almost 13 years ago. Our industry is still fragile, it
24 needs support, it needs help, and I would urge you to
25 adopt this code with the recommendations I've made.

1 Thank you and I appreciate this opportunity.

2 MR. CARR: Mr. Chairman, can I ask one
3 quick question?

4 MR. AINSLIE: Yes.

5 MR. CARR: On your chart on the right-hand
6 column, is that Virginia housing starts on the far
7 right-hand side?

8 MR. TOALSON: Yes.

9 MR. CARR: Okay. Thank you.

10 MR. AINSLIE: Thank you. Is there anyone
11 else that would like to speak? That's all we had on the
12 sign-up sheet with USVC.

13 Next, we will be moving on to the Virginia
14 Statewide Fire Prevention Code. Next speaker,
15 Ron Reynolds.

16 MR. REYNOLDS: I am not going to speak.
17 Thank you.

18 MR. AINSLIE: Rick Whit.

19 MR. WHIT: Members of the board,
20 Mr. Chairman, I stand before you here today just to
21 strongly urge you to continue with the board-directed
22 efforts of removing all the unenforceable language out
23 of both the Property Maintenance Code and the Fire
24 Prevention Code. Part of the reasoning for this is the
25 general public, design professional building and

1 building business owners should have the ability and
2 right to read the regulations and clearly understand
3 what is required and what is not.

4 Think about it, all the other codes that
5 this board adopts there is very few, if any,
6 unenforceable parts to it. You pick up the code, you
7 read it, you know what you have to do. Unfortunately,
8 with the Property Maintenance and the Fire Prevention
9 Code, this is not the case.

10 So, you know, I give my hat's off, like
11 Mike did, to the staff for being inclusive and inviting
12 everybody to the table. It has not been a smooth
13 process, if you will. There's been a lot of contention,
14 but the document as it is presently created I think
15 would be a better document for the State of Virginia and
16 all of our citizens. And I urge this board to adopt
17 those two regulations with the amendments to move
18 forward to the next code cycle, which everybody will
19 have the opportunity to comment on and make proposed
20 changes to.

21 And it's also important to note, that there
22 is no enforceable provisions of the code being removed
23 and that's key. So I thank you for the time.

24 MR. AINSLIE: Thank you. Next speaker,
25 Keith Brower.

1 MR. BROWER: Good afternoon, my name is
2 Keith Brower. I'm the fire chief from Loudoun County.
3 I'm also the former fire code official for Loudoun
4 County.

5 I'm here today in representation of the
6 Loudoun County Board of Supervisors who are very
7 publically concerned, as am I, with speed and the
8 process resulting in the changes that are being sought
9 to the State Fire Prevention Code or the SFPC. The SFPC
10 is a legislative action that allows localities to react
11 to unique fire prevention needs and deal with them in
12 the interest of public safety. Public safety has
13 several aspects, most notably, the protection of your
14 neighbor and their family, but it also extends to
15 firefighter safety and the economic health of a
16 community.

17 Burn down a restaurant due to an
18 out-of-date hood system, suffer fatality in a fire
19 because occupants or patrons were trapped in buildings
20 with poorly maintained egress or illegal interior
21 flammable finish, or kill a firefighter due to a
22 building collapse caused by excessive storage, and
23 everyone will point to one area: The Fire Prevention
24 Code. How could the fire department let this happen?
25 The local government, the media, and the public will

1 want to know. They will demand answers. They always
2 do.

3 In West Warwick, Rhode Island, where a
4 hundred patrons were killed in The Station nightclub
5 fire, in Hackensack, New Jersey, where five firefighters
6 were killed in a collapse of a bowstring truss building
7 with supplies stored above where they should not have
8 been. And how about some Virginia near misses? Over 75
9 reported mulch and or vinyl siding fires just in 2016
10 which had involved or nearly involved structures. We've
11 had around 30 just this year in Loudoun County. Or how
12 about the April bed and breakfast fire in Lexington,
13 Virginia where a wedding party of 38 people narrowly
14 missed tragedy in an agricultural building, a barn,
15 converted to a residential building with zero fire
16 protection required. And how does all this affect local
17 economy? People are out of jobs, they can't buy
18 groceries, they can't buy cars, they miss mortgage
19 payments, they may need to seek government assistance,
20 business taxes will not be paid and local revenue
21 trickling to Richmond.

22 I could stand here for days and talk about
23 the importance of fire safety, but I think you get the
24 picture. What I'm leading to is simply that the
25 Virginia Fire Service believe that efforts are underway

1 which could substantially weaken the SFPC by removing
2 some of the construction-related language from the SFPC.

3 Last fall this process started with an
4 interest in moving unenforceable areas of the SFPC. To
5 date, there have been many meetings by ad hoc work
6 groups. The pace of these work groups was unprecedented
7 and many local fire officials struggled to keep up. We
8 did the best we could. But this isn't simple math. We
9 have volumes of changes pending, and I'm very concerned
10 if we're not careful, if we don't slow the process down,
11 if we compromise on the work group process and the
12 timeline, then we're going to have an SFPC that leaves
13 large, gaping holes in fire code enforcement and that
14 will lead to the compromise of public safety and
15 unintended negative economic impact. I don't believe
16 this is your fault. Thank you for your time and your
17 service.

18 MR. AINSLIE: Thank you. Next we have
19 George Hollingsworth.

20 MR. HOLLINGSWORTH: All right. I think I
21 got it now. Okay. Good afternoon, Mr. Chairman, vice
22 chairman, Board of Housing, members of the Fire Service
23 Board. My name is George Hollingsworth and I am the
24 president of Virginia Fire Prevention Association.
25 Without bringing up items that we have spoke about in

1 the past, I'd like to reiterate that it is very early as
2 this morning -- excuse me. The process of the changes
3 to the Virginia Statewide Fire Prevention Code is a
4 moving target and difficult for the fire service to keep
5 up with. This morning, Ms. Cindy Davis referred to the
6 request as the fire code edit in her minutes to the
7 board this morning, which is what it is referred to over
8 the last year; however, had the last work group meeting
9 on June 6th and in the minutes of that meeting, both
10 Cindy and DHCD staff referred to this as the "rewrite of
11 the fire code." A rewrite and an edit is not the same
12 thing. If we're doing a rewrite, why isn't it following
13 the same policies and the same procedures that we do for
14 every other code change? If it's an edit and we're just
15 doing editorial edits, I get it, but it's a moving
16 target that the Fire Service Board has had a very
17 difficult time keeping up with.

18 That being said, the Fire Service does
19 agree that there are some things in the code that do --
20 are construction issues that need to be dealt with, and
21 we could agree on. But there's many in there that we
22 don't agree on. So as Mr. Whit said before that these
23 are all construction items, the Fire Service does not
24 agree with that. I'm asking the Board of Housing to
25 give us the opportunity to respond, to write comments,

1 and to give you something that you can look at on both
2 sides of this coin by moving this back from the adoption
3 in 2015 to the adoption in 2018. This would give the
4 Fire Services Board an opportunity to work with the Fire
5 Services Board Code Committee to review this, each item.
6 Let's know what we are agreeing to and get rid of --
7 remove the things we agree to and let's discuss the
8 other ones, but it can't be done at this pace. Thank
9 you very much.

10 MR. AINSLIE: Thank you. Anthony Barrero.

11 MR. BARRERO: Good afternoon. My name is
12 Anthony Barrero and I serve as the deputy fire marshall
13 for Fairfax County Fire and Rescue. Thank you for the
14 opportunity to speak. I want to talk to you a little
15 bit about these proposed changes and how they may affect
16 direct impact to our citizens, the businesses, fire
17 fighter safety, if you will.

18 First, in respect to time, I'm going to be
19 reading some of my points because I'd really like to get
20 these points out.

21 Deleted code sections proposed by the work
22 group: Remove the authority to deal with unpermitted
23 work, which unfortunately continues to occur. And worse
24 said unpermitted work constitutes a special hazard for
25 many of our most disadvantage citizens. The removal of

1 interior finish and other provisions of chapter 8 of the
2 ICC Fire Prevention Code has provided -- as proposed by
3 work groups, means that there's now no authority under
4 the Fire Prevention Code for inspection personnel to
5 require the removal and abatement of interior finish and
6 other materials which are a fire hazard in child
7 daycare, often home daycare locations, and unpermitted
8 residential conversions.

9 Proposed removal by the work group of key
10 provisions of chapter 9 of the ICC Fire Prevention Code,
11 especially as exemplified at 901.4 installation, will
12 promote unpermitted work and remove the authority of the
13 fire marshal to require correction and amelioration of
14 impaired fire protection systems.

15 Proposed removal by the work group of key
16 provisions of chapter 10: The means of egress
17 constitute the current watch for alterations which
18 impair exiting but which have nothing to do with the
19 code under which the building was built. These include
20 placing of obstruction, storage, junk, and other
21 materials in exit ways, a condition often found by the
22 fire marshal in many buildings old and not so old, as
23 well as unpermitted alterations to stairwell landings,
24 steps, and other parts of the exit path.

25 A direct damage to our businesses:

1 Proposed removal of so many portions of the Fire
2 Prevention Code means that Fairfax County will no longer
3 have a nationally recognized set of codes. By doing so,
4 those businesses in Fairfax County that have to compete
5 in the national and international arenas will be
6 negatively impacted. Businesses decide where to locate
7 based on a whole host of factors and one of those
8 factors is maintenance of adequate safety standards on
9 which their ratings and insurance costs depend.

10 Direct damage for first responders:

11 Removal of hazardous material tables and standards from
12 the Fire Prevention Code as advocated by the work group
13 will constitute a direct threat to our first responders.
14 Lack of control over hazardous materials substances in
15 all occupancies is of particular concern of the fire
16 inspector and of the firefighter personnel. It is clear
17 that the actions of the work group, which referenced the
18 ICC Fire Prevention Code chapters 20 through 30, removes
19 safeguards from gas stations, from production processes,
20 from helistops at our hospitals, and from many locations
21 where unsafe substances can be introduced regardless of
22 when the structure was built or when it came into use.

23 With that, my last comment, ladies and
24 gentlemen, is Fairfax County has fabricated a
25 relationship with our building official and the other

1 agencies within Fairfax County to promote those
2 safeguards. We continue to foster and discuss change
3 that occurs in our county, and we continue to work
4 collaboratively, if you will, to promote those
5 safeguards that are currently in place. That's all I
6 have.

7 MR. AINSLIE: Thank you.

8 MR. BARRERO: Thank you very much.

9 MR. AINSLIE: Is it Monty Willaford?

10 MR. WILLAFORD: Yes, it is. Good
11 afternoon. I'm Monty Willaford. I'm the fire chief of
12 Spotsylvania County.

13 I'd like to quickly echo some of the things
14 that have already been said, and when you go fourth and
15 fifth you definitely have some of your points taken
16 away. But the first point is to talk about the edit and
17 the rewrite. That is one of my main concerns is that
18 this process was identified and started out simply as an
19 edit and no one questioned that and that's the middle of
20 a code change that's been called a rewrite. And
21 frankly, I don't think it follows the regulatory process
22 of the Commonwealth based on how it's been conducted.

23 The other words we keep hearing is
24 "unenforceable" and "construction." And many points
25 where changes were recommended there was no

1 interpretation or intent of the fire service to get into
2 the construction industry or even be involved with the
3 USVC. However, for us to do our jobs in many places we
4 look toward the USVC as simply a point of reference.
5 It's almost like when the process first started if you
6 could cite anything to do with USVC or even use the word
7 construction, it's like off with his head, off its head.
8 It's construction. And, again, in many cases, it's not
9 construction, it's just simply a reference.

10 One of the specific items talked about is
11 simply it says, "An exception: Dumpsters in areas
12 protected by and approved of automatic sprinkler system
13 installed in a quarter," and it gave three sections of
14 the USVC. They're just points of reference. We're not
15 enforcing the USVC, we're not in conflict with USVC. It
16 tells us if the USVC required this, we can allow
17 dumpsters to be put there. If it's not there, we can't.
18 There is no conflict in that case with the fire code,
19 but someone in this process believed it to be.

20 We question why we went from edit to
21 rewrite. One of the comments I've heard is that there
22 are rogue fire marshals throughout the state that are
23 unlawfully enforcing the Fire Prevention Code. And if
24 that is the case, why is the technical review board not
25 totally inundated with reviews? And I'd ask this board

1 to go back and look. How many cases dealing with the
2 USVC come to the technical review board? Fire safety
3 cannot automatically take second place in the
4 Commonwealth of Virginia to construction.

5 I took an oath, I took an oath to protect
6 my citizens and the visitors that come to Spotsylvania
7 County as do the other fire marshals. It's a very hard
8 situation to go and look and see when someone has
9 succumbed to a fire.

10 And going ahead and wrapping up, it was two
11 things were mentioned this morning in your earlier
12 meeting. One was the billions of dollars that are
13 generated -- that were generated last year by the
14 construction industry. And that's a great thing to the
15 Commonwealth of Virginia, but something else was
16 mentioned as well, there was 34 lives lost. Don't let
17 the billions of dollars generated overshadow those 34
18 lives.

19 MR. AINSLIE: Thank you. Next Glen Dean.

20 MR. DEAN: Good morning. I made some
21 remarks at a board meeting earlier this year. I'm going
22 to try to paraphrase them a little bit and add to it.
23 I'm going to start off with a question: Is this effort
24 on a rewrite of the fire code preordained? Is it a
25 foregone conclusion that we're only going through the

1 motions of legitimacy? And I ask this because what I've
2 seen and heard today that supports the perspective of a
3 predetermination as opposed to asking for an evaluation
4 of supposed nonenforceable provisions versus enforceable
5 provisions within the fire code.

6 Predetermination also seems to be supported
7 by the board's minutes of March 23, 2015, wherein it
8 states, "Mr. Rick Whit reiterated the board's direction
9 to staff to work towards the removal of the
10 administrative and technical provisions in the code, all
11 within Chapter 1 sections, to reflect the actual
12 enforceable language." To "reiterate" must mean that
13 there was an initiating action by the board and I can't
14 find that board action, but let's get passed that.

15 Since 1988, there have been eight additions
16 to the fire code. Throughout the administration and
17 enforcement of those eight additions, there has been and
18 continues to be a lack of, in the relative sense, the
19 lack of identified and quantifiable problems in the
20 manner in which those additions have been administered
21 and enforced to date that would give justification for a
22 rewriting of the fire code in the manner being
23 contemplated. I would submit to you that there may be
24 greater problems, again, in the relative sense, within
25 the USVC than the fire code, and can be proven by

1 looking at what issues and codes the TRV deals with most
2 often.

3 Also for those eight provisions of the fire
4 code adoption cycle, is the state attorney general's
5 office signed off on each addition effectively saying,
6 "No problems with those additions." So it comes back to
7 the question: What's the problem and whose problem is
8 it?

9 To summarize, why is something being fixed
10 when it doesn't seem to be broken? I want to also
11 add -- would like to add to Mr. Toalson's incomplete
12 remarks earlier about buildings and structures being
13 built at the least possible cost. While correct in what
14 he said, to flesh that statement out further to its
15 completeness, it says "the buildings and structures
16 ought to be built at the least possible cost while
17 providing for the health, safety, and welfare of those
18 occupying the buildings." And I want to state that I do
19 understand and do appreciate the difficulty of obtaining
20 and maintaining that balance. Thank you.

21 MR. AINSLIE: Thank you. Bill MacKay.

22 MR. MACKAY: Good afternoon. Members of
23 the board, my name is Bill McKay. I'm the Fire-Rescue
24 Chief of Goochland County. I don't want to reiterate
25 what some counterparts that have already been spoken

1 about, but I do want to touch base on one thing,
2 possibly two. One I do want to build on the fact that
3 why is it that we, as Americans, have a disproportionate
4 level of dying in a home fire in our own residential
5 homes compared to the rest of the western world that we
6 benchmark against ourselves? As an American, you have a
7 two to three, possibly as high as four times greater
8 standard of dying in a home fire of your own home than
9 you do in the United Kingdom, Australia, or the other
10 countries that we normally benchmark ourselves against.
11 Why is that? We, as a society, need to address that.
12 And some of the actions that are proposed by this
13 rewrite water that down even more and make us go further
14 behind and we have a long way to catch up.

15 The other thing I want to touch base is
16 upon firsthand experience. Prior to coming to Goochland
17 County, I was the Fire-Rescue Chief of Niagara Falls,
18 New York, an old northeast industrialized town with
19 homes which underwent a number of renovations. One of
20 those renovations that ruined propensity was the
21 inclusion of a vinyl siding on homes. Vinyl siding on
22 homes is nothing more than solidified gasoline placed on
23 the side of homes.

24 In a fire event that involves the exterior
25 of the home in a wind-driven event, we literally had

1 globs of vinyl siding blowing across the street setting
2 adjacent homes on fire. One night, more than 20 homes
3 on one street suffered fire damage. These are things
4 that this proposed rewrite will eliminate our local fire
5 officials from the ability to enforce and address. And
6 I urge you, like my counterparts have, to be more
7 inclusive and to take more time and address especially
8 those unintended consequences that this may cause.
9 Thank you.

10 MR. AINSLIE: Thank you. Next speaker is
11 William Lloyd.

12 MR. LLOYD: Good afternoon. My greatest
13 problem is having -- well, first, having been involved
14 in many years of code change process. Having sat on the
15 Fire Services Board, having been part of the Department
16 of Housing Community development committees, BOCA Fire
17 Prevention Code Committee, and Locus Interpretation
18 Committee over the years and followed the process as we
19 went into the international code. My biggest concern is
20 the lack of transparency and speed in which this change
21 process has been done.

22 To call it a rewrite, that really raises
23 some concerns. What are we doing? An example of the
24 lack of transparency: We had a set of minutes of a June
25 meeting that didn't come out until July 18th. And then

1 there was another meeting within just a few days. There
2 was not sufficient time for someone to review those June
3 minutes and to be able to address them. The thing that
4 concerns me more out of that is that not all of the
5 comments were in the minutes. I have records of the
6 comments. A number of them, significant, were not
7 included in the minutes. That's a lack of transparency
8 and the process is of great concern. And I do not think
9 it follows the administrative process exactly. Thank
10 you.

11 MR. AINSLIE: Thank you. That's all on the
12 sign-in sheet. Oh, wait a minute. I'm sorry. There's
13 another page here we didn't know we had. Melvin Carter.

14 MR. CARTER: Good afternoon, everyone. All
15 right. It's on now. Good afternoon, Mr. Chair and
16 members of both boards, Board of Housing and Community
17 Development as well as the Fire Services Board. I thank
18 you for the opportunity to address you today. And
19 honestly, I've been in my role now for roughly 26
20 months, and so this is the first of this opportunity in
21 terms of a joint meeting between the fire board and
22 housing board that I've had the opportunity to attend
23 and present.

24 And to be honest with you, I don't know if
25 we would be here today jointly had the fire service not

1 raised the issues they have with the current process of
2 removing or edits from sections from the Virginia
3 Statewide Fire Prevention Code. And as the executive
4 director of Virginia Department Fire Programs where the
5 state fire marshal's office is housed, I share those
6 heightened concerns for the fire services.

7 A term that has been used today is about
8 the process is "lacks smoothness." I would like to use
9 a different term. Is what the fire services in Virginia
10 is asking for, is it unreasonable to slow down the
11 process, to pause the process, to give both major
12 stakeholders who want the same thing to public safety
13 mission, is it unreasonable what the Virginia Fire
14 Services is asking from the partnering public safety
15 agency? As professionals, we, like you, are looking for
16 common ground in this process. We're not trying to
17 steamroll you. We simply want a more inclusive seat at
18 the table so that our concerns can be had -- held rather
19 or heard as it relates to this process.

20 I would leave you with this one thought:
21 Had the Virginia Fire Services Board had a similar
22 process that was occurring with the building code, how
23 would you-all feel as building code officials? And I'll
24 leave you with that thought. Thank you.

25 MR. AINSLIE: Thank you. Next we have

1 Keith Chambers.

2 MR. CHAMBERS: Good afternoon, Board.

3 Thank you for inviting us here today to be able to speak
4 on behalf of our respective agencies. I am Keith
5 Chambers. I'm the chief deputy fire marshal for
6 Chesterfield Fire and EMS, and I'm also representing the
7 Central Virginia Fire Arson Association with over 100
8 members. I speak today not on what all the others have
9 already pointed out, but mine is a simple question is
10 why? Why are we doing this? I've asked that question
11 over and over again and this is the two answers I get.
12 And I get that DHCD staff states and I say that because
13 I don't get any names, I just say I get the answer.
14 DHCD staff states that they receive calls on a regular
15 basis in regards to confusion over the fire code. And
16 that's the only answer I get.

17 Well, my 12 years and direct relations with
18 the fire marshal's office, I have never once, never
19 received one phone call in my office from anyone that's
20 been referred by, informed by, or any DHCD staff that
21 has referred a customer to my office to ask a relative
22 questions on fire code that has went through DHCD. And
23 I would submit if it is being called to DHCD staff, a
24 fire code question for specific jurisdiction, I would
25 hope that they would send it to that jurisdiction's fire

1 marshal to answer that question. Never once have I ever
2 received a phone call or statement of fact.

3 So as I travel around the state during all
4 my conferences and symposiums, I start to ask customers,
5 in general, what they thought was confusing about the
6 fire code. I ask those familiar with the fire code and
7 those not so familiar with the fire code. The ones that
8 were not familiar with the fire code basically stated
9 they don't have any confusion because they don't read
10 it. They rely on the experts, us, to answer their
11 questions because that's why they send us to school to
12 learn about these codes and be able to answer those
13 questions. Those familiar with the fire code say to
14 me, "I don't have any confusion with the fire code
15 because I understand it." And a couple of them even say
16 that they're more confused with the building code than
17 they are the fire code.

18 Number two, and my great chief from
19 Spotsylvania County mentioned there's rogue fire
20 marshals. I've asked, as well, on top of the confusion
21 what else is the problem, and I'm hearing fire marshals
22 are enforcing building code elements which are
23 unenforceable. So again, as I travel around the state,
24 I've asked hundreds of fire marshals whether they know
25 the difference of what they can and cannot enforce.

1 Every one of them knew the difference, every single one
2 of them. I had no issues with any of them mixing a
3 building construction element with the fire code.

4 In addition to what the chief of
5 Spotsylvania said, if that were the case, if we were
6 enforcing those unenforceable provisions, wouldn't the
7 appeals board be inundated with appeals regarding the
8 fire code? I haven't heard of such thing.

9 I'll end with this, I've only heard one
10 person support the proposed change. And that was my
11 friend Rick Whit over there. And I just wanted to quote
12 what he said, "a lot of contention." Just remember
13 that. There is a lot of contention because the
14 opposition to the process, the speed, the efficiency,
15 and directly there's no need to change. There's not a
16 significant why to the question. Thank you.

17 MR. AINSLIE: Thank you. That's all we
18 have on the sign-up sheet. Are there any more people
19 that would wish to speak on the Statewide Fire
20 Prevention Code? Thank you. Seeing none, we will move
21 on to the Virginia amusement device regulations.

22 MR. SHELTON: And I don't think we have
23 anyone signed up unless there's somebody walked in
24 recently.

25 MR. AINSLIE: Anyone wish to speak on the

1 amusement device regulations? Hearing none --

2 MR. BARTELL: I'll do it.

3 I'm Richard Bartell from Hanover County.

4 We have one of the larger groups of amusement device
5 inspectors in the Commonwealth. And also the deputy
6 building official is the chairman of the amusement
7 device technical advisory group. He is in support and
8 we are fully in support of the proposals before the
9 board with regards to amusement device regs. That's all
10 I've got to say.

11 MR. AINSLIE: Thank you. Anyone else
12 before we move on?

13 Lastly, we'll be doing the industrialized
14 building safety regulations.

15 MR. SHELTON: I don't think anyone signed
16 up.

17 MR. AINSLIE: Is there anyone in the
18 audience that would like to speak to that? Hearing
19 none. That concludes our public hearing. I have some
20 closing statements here.

21 Are there any other persons wishing to
22 speak regarding the issues for which the public hearing
23 was convened? The hearing is now concluded. All
24 comments will be taken under advisement by the board.
25 I'd like to reemphasize that any written statements

1 received will be considered by the board. Thank you-all
2 for your time today.

3

4

PROCEEDINGS CONCLUDED

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

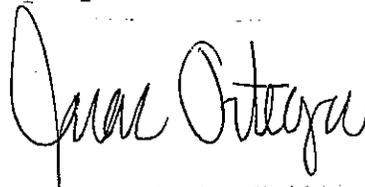
25

1 CERTIFICATE OF COURT REPORTER
2

3 I, JUAN ORTEGA, do hereby certify that I was
4 the Court Reporter who took down and transcribed the
5 public hearing as captioned on Page 1 hereof, when heard
6 on July 18, 2016, at 12:30 p.m. in Glen Allen, Virginia.

7 I further certify this is a true and
8 accurate transcript to the best of my ability to hear
9 and understand the proceedings and other incidents of
10 the hearing herein as set down to the best of my
11 ability.

12 Given under my hand this 8th day of August,
13 2016.

14 

15
16 JUAN ORTEGA
COURT REPORTER

17
18
19
20
21
22
23
24
25

(Page left blank intentionally)

By James Dawson September 8, 2016 10:59

Please see the attached documet for comments and corrections to the summary document for the August 3rd Work Group Meeting.//jrd

Attachment: Public Comments to August 3rd Meeting Summary.docx

Comments from Summary Document on August 3rd SFPC Re-Write Workgroup

James R. Dawson, Assistant Chief/Fire Marshal – Chesterfield Fire and EMS

“603.1.7 Clearances Anthony Barrero suggested ”Working clearances between oil-fired appliances and electrical panel boards and equipment shall be maintained in accordance with ~~NFPA 70~~ the code under which the equipment was installed. Clearances between oil-fired equipment and oil supply tanks shall be maintained in accordance with ~~NFPA 31~~ the code under which the equipment was installed.”

I disagree with Chief Barrero’s suggestion to remove the NFPA 70 and NFPA 30 references. These standards clearly identify the clearance distances for these devices that are not regulated under the USBC. They also provide the service related maintenance provisions for the equipment.

603.2 Chimneys Anthony Barrero suggested masonry chimneys, factory-built, and metal chimneys shall be constructed in accordance with the International Building Code. ~~Factory-built chimneys shall be installed in accordance with the International Mechanical Code. Metal chimneys shall be constructed and installed in accordance with NFPA 211.~~ shall be maintained to the standards of the code under which they were constructed and/or installed.

Again, I disagree with Chief Barrero’s suggestion to remove the NFPA 211 reference. These standards clearly identify the service related maintenance provisions for the equipment which are not provided by in the building code.

603.6 Chimneys and appliances Anthony Barrero suggested Because a primary function of the code is to reduce or eliminate fire hazards through proper maintenance of appliances and systems that are potential fire and life safety hazards, I suggest that the entire paragraph be kept and the desired code wording be appended.

Russell Furr stated shall be maintained to not require a fire hazard. He believes it was added for a reason.

Cindy Davis said we already discussed this when Linda Hale brought it up earlier and we’re leaving it in. The maintenance language needs to remain.

I remain anxious to see what types of changes staff are proposing to the first draft document to evaluate their suggested changes to the draft and the current code.

Robby Dawson stated if a recall notice comes out then it gives us the authority to tell them to fix it.

This is an incomplete summary of this comment. The comment should include that the section as it currently exists provides the fire official the ability to require corrections when recalls are issued. The draft proposal removes this ability and if approved, would eliminate the ability of fire officials to require

the replacement or repair of recalled equipment. The final statement should include my comment that this section is not construction related and should be retained as established in the model code.

603.8 Incinerators Anthony Barrero suggested: "shall be maintained to the requirements of the applicable codes under which they were installed."

603.8.1 Residential incinerators Anthony Barrero suggested "shall be maintained to the requirements of the applicable codes under which they were installed." 603.8.2 Spark arrestor Anthony Barrero suggested "The means for arresting sparks shall be maintained to the requirements of the applicable codes under which it was installed."

603.8.3 Restrictions Anthony Barrero suggested this proposal was inane. There are not burning prohibitions in the building code to refer back to. He suggested no changes.

Robby Dawson asked where the building restricts open burning? Consensus on keeping section as-is.

603.8.4 Robby Dawson, not a condition of the building code. Can't be in an appendix. Consensus on keeping section as-is.

This summary is incomplete. The statement was that all of these provisions are operational in nature and should not be removed. I await the staff edits of the draft to assess their further edits.

Section 605 Electrical Equipment, Wiring and Hazards

605.2 Illumination Anthony Barrero had no objection to this wording change.

605.9.1 Attachment to structures Anthony Barrero had no objection to this wording change.

605.10.1 Listed and Labeled Anthony Barrero agrees that this is an existing amendment.

Just a general comment, while I respect Chief Barrero's comments, I do not believe this should be read as all of the fire service in Virginia agrees with these changes. There was no specific vote or request for others to opine on "consensus" versus "non-consensus".

606.7 Emergency signs Anthony Barrero believes the first change shouldn't be made. These regulations are necessary as refrigerants can be considered hazardous materials and pollutants. What is the difference between 'provided with' and 'maintained' if the paragraph only references the current edition of NFPA 704? For the second change, the deletion of the last sentence, I have no objection to it being moved to the appendix, but see no need for it to move.

Robby Dawson stated that the signage is not maintenance it is construction. Consensus to keep as is.

Cindy Davis agreed the signage should stay.

I draw attention to Ms. Davis' comments here due to conflicting statements made later in the meeting. I again would like to see staff's next draft to determine if her comments of "signage should stay" remain in the code.

606.8 Refrigerant detector Anthony Barrero stated the proposed change moves the regulation from being about refrigerant detection to being about machinery rooms. He suggested for the first sentence: Required refrigerant detectors with an audible and visual alarm, installed in a machinery room, shall be maintained to the requirements of the applicable codes under which they were installed. No change proposed to 2nd sentence.

He opposed the change to the 3rd sentence. TLV-TWA values are not referenced in the Building Code.

Robby Dawson stated this is an OSHA requirement. The building code does not provide TLV. The fire code should have the ability to change this value.

There is no indication of what the outcome of this discussion was. The report from Cindy at the meeting was that staff was going to evaluate the issue of the proposed change creating a conflict with Federal and State OSHA regulations.

606.9 Remote Controls Anthony Barrero believes he understands the goal of the proposed changes, but thinks the reference to Section 1106 of the IMC (Machinery Room, Special Requirements) must be kept. In total, the same thing can be stated more simply. He suggested:

"606.9 Remote controls. Where flammable refrigerants are use and compliance with Section 1106 of the International Mechanical Code is required, remote control of the mechanical equipment and appliances located in the machinery room shall be maintained to the requirements of the applicable codes under which they were installed at an approved location immediately outside the machinery room and adjacent to its principal entrance. This includes, but is not limited to, the refrigeration system emergency shutoff and the machinery room ventilation fan switches.

Robby Dawson stated he had an issue with 606.9. 606.9.2 is moving to an appendix.

My "issue" was not clearly stated. The issue is that these systems require more than just keeping them in the condition in which they were installed. The maintenance required includes service related maintenance provisions that, if move the an appendix, are not enforceable and would remove any service related maintenance requirements which keeps this equipment in a serviceable condition. There are no specific issues identify where this section has been misinterpreted or misapplied and much like most of these proposed changes do not have sufficient justification to remove these provisions.

606.10 Emergency pressure control systems Anthony Barrero stated the proposal is more encompassing than the original requirement. He suggested: "606.10 Emergency pressure control system. Emergency pressure control systems for refrigeration systems containing more than 6.6

pounds (3 kg) of flammable, toxic or highly toxic refrigerant or ammonia shall be maintained to the requirements of the applicable codes under which they were installed.

Emory Rodgers stated we should leave manufactured instructions in USBC when appropriate.

I am confused by this comment, there are no references to “manufactured [manufacturer’s] instructions” in this section of the code. I also can’t understand why they should remain in the USBC when these proposed changes have nothing to do with removing them from the USBC. Earlier comments concerning these instructions related to service related maintenance and should be retained throughout the code.

Section 609 Commercial Kitchen Hoods 609.1 General Anthony Barrero does not agree with this proposal. Since hoods are not regulated by the building code, he suggests: Commercial kitchen exhaust hoods shall be maintained to the requirements of the applicable International Mechanical Code and other applicable codes under which they were installed.

Linda Hale stated that the commercial language shall be maintained in the applicable building section.

An additional concern with deletion of much of this 609 section is that mobile cooking vehicles are not regulated by the building code and many jurisdictions – including the State Fire Marshal – can utilize these sections to provide the protection needed in these settings. Removal of these provisions creates a weaker code as it relates to mobile cooking operations. Additionally, a proposed code change which is based on approved national model code language will specifically reference much of this section for requiring hood exhaust and suppression systems in mobile food preparation settings. This entire section should be retained for further evaluation as it relates to these dangerous processes.

609.3.3.3.1 Tags Anthony Barrero stated the change from inspected to cleaned is NOT an existing state amendment. I believe “inspected” should be kept because it is more encompassing than cleaned. All cleanings should have an inspection component, but not all inspections necessitate a cleaning.

In addition to the inaccurate comment relating this change to an existing state amendment, the change creates conflicts with the overhead table that relates specifically to “inspections” of these hoods. This change should not be made.

[Excerpts] Chapter 7 Fire Safety Requirements 703.1 Maintenance Andrew Milliken asked about removing visually inspected, Robby Dawson stated that inspections and maintenance requirements are scattered throughout and is enforceable. The original intent is to remove construction provisions, however, removing this is outside of the scope of this effort.

*Vernon Hodge stated the directive from the board was to remove the unenforceable provisions from the model codes, not just construction, but unenforceable provisions. In the maintenance code most of the language looked at was mostly retrofit language, however, **they also looked at the Administrative conflicts that existed in the Maintenance Code.** The fire code was looked at*

*in the same perspective. This language was debated in the last cycle. **There were some changes being made to Chapter 1 which looked at whether the language in the model code is actually enforceable.** We already have a proposal submitted that will get looked at by the board even if it doesn't get looked at in this re-write. Chapter 1 states that anything that deals with inspections and gives the authority having jurisdiction to the fire official to have the right to do inspections.*

Linda Hale-asked where to find the conflict in Chapter 1.

Cindy Davis stated this was going to be a state amendment.

Chris Anderson suggested to un-strike the changes in 703.1.2 because it doesn't seem to be construction language.

Cindy Davis stated it is unstricken.

Regarding Ms. Davis' comments about "this is going to be a state amendment", I would suggest that until such amendment is submitted and approved by the Board, there is no conflict and these changes related here are not needed.

Mr. Hodge's comments seem to indicate these proposed changes are based on Chapter 1 provisions in the Maintenance Code, this should not be the justification for these code changes.

I continue to await the identified "unstricken" draft from DHCD staff to see what impact these revisions have.

[Excerpts] Chapter 8 Interior finish, Decorative materials and Furnishings Linda Hale stated the existing building requirements should remain.

Cindy Davis said we hear lots of disagreement, we will put all the comments and disagreements in here and go through and try to identify the construction related material language and put them in the appendix and keep maintenance language for the rest.

Cindy Davis said we hear lots of disagreement, we will put all the comments and disagreements in here and go through and try to identify the construction related material language and put them in the appendix and keep maintenance language for the rest.

Cindy Davis asked Richard Potts to look up the comments that were made in the fire code edit sessions for this particular section. This does need to be reviewed.

Cindy Davis stated in Chapter 8 we will need to see what needs to be removed. We are trying to abide with Virginia law.

Emory Rodgers stated the draft language is from VBCOA that was assigned this. There are very difficult sections in here in 807 building officials would like fire officials to take over this section.

The controversy and opposition to this chapter was significant, and revisions as noted by staff have not been published, and most comments related to keeping all of these proposed changes.

One significant discussion has been omitted from this summary. Chief Barraro's opposing statement was followed up with a question to the group that essentially asked who in attendance thought this chapter, as well as 9 and 10 should be changed? There was an overwhelming silence as to anyone in the room thinking this should be changed. I would consider this consensus for retaining all of the provisions and suggest the staff report reflect that since no one in the meeting spoke up in favor of these changes overall.

Under what authority and at who's direction was VBCOA "assigned" this task? The Fire Services Board has asked for this process of evaluating the SFPC for enforceable provisions be given to the Fire Services Board Fire Code Committee. This has been dismissed outright by Bill Shelton.

[Excerpt] Robby Dawson stated that this reference of signage is a maintenance issue, so Section 1004.3 shall remain?

Cindy Davis stated that if a sign is required by the building code, if it gets missed, destroyed or removed illegally you still have the authority to require it.

Sean Farrell stated in Part 3 of the VA Maintenance Code all buildings must be maintained in the code in which it was constructed.

The comment from Ms. Davis is inconsistent with her previous statement concerning signs being properly required under the SFPC. In the absence of a TRB finding, the determination is left to the Authority Having Jurisdiction, which has been determined widely by fire officials that they are not a construction element and properly required by the SFPC.

Mr. Farrell's comment is irrelevant since the SFPC is not part of the Maintenance Code or the VCC. It is a standalone code that is not governed by any provisions of the Maintenance Code.

William Andrews said this must be operating as required. This is an operational issue. Using maintenance language doesn't guarantee its use. Consensus to add applicable operational language.

William Lloyd stated in 2104.2.4 Bonding and grounding that it does not require a permit from the building official. It is not a construction requirement but a life safety requirement.

Robby said it could be a drum that is being transported that needs to be grounded.

Cindy Davis stated that we will take a look at this.

Robby Dawson said it might include things that aren't building code related such as a 55 gallon drum.

What was the outcome of "we will look at this"? Staff has indicated they were completing a revision of the entire proposal and this has not yet been produced in any part. In addition, in the August 26 meeting, Ms. Davis indicated the next revision of the change would be presented to the Board of

Housing for consideration in the proposed regulations. This would be contrary to the normal process of further review to allow for transparency and agreement where it can be reached.

By William Andrews September 2, 2016 14:15

6704.1.5 Storage configuration.

Class 2 or 3 water-reactive solids and liquids shall not be stored with flammable liquids.

Need keep operational limit in fire code, so customer and fire official easy read prohibiting storing flammable liquids with water-reactive solids. If any building code allows such, that building code needs change.

By William Andrews September 2, 2016 13:36

6704.1.4 Water-tight containers. Where Class 3 water reactive solids and liquids are stored in areas equipped with an automatic sprinkler system, the materials shall be stored in closed water-tight containers.

6704.1.5 Storage configuration. Water-reactive solids and liquids stored in quantities greater than 500 cubic feet (14 m³) shall be separated into piles, each not larger than 500 cubic feet (14 m³). Aisle widths between piles shall not be less than the height of the pile, 4 feet (1219 mm), or in accordance with the applicable building code. Exception: Water-reactive solids and liquids stored in tanks.

Need keep operational regulations in fire code. Obvious need to store water reactive material in closed, water-tight container when in sprinklered area, so sprinklers trying to suppress fire not cause reaction to increase fire or create other hazards. Doubt old codes specify storage pile size, and appropriate to limit large grouping of reactive materials.

By William Andrews September 2, 2016 12:59

6603.1.2 Limitations for indoor storage and use by occupancy. The indoor storage of unstable (reactive) materials shall be in accordance with Sections 6603.1.2.1 through 6603.1.2.5.

6603.1.2.1 Group A, E, I or U occupancies. In Group A, E, I or U occupancies, any amount of Class 3 and 4 unstable (reactive) materials shall be stored in accordance with the following:

1. Class 3 and 4 unstable (reactive) materials shall be stored in hazardous material storage cabinets complying with Section 5003.8.7. 2. The hazardous material storage cabinets shall not contain other storage.

6603.1.2.2 Group R occupancies. Class 3 and 4 unstable (reactive) materials shall not be stored or used within Group R occupancies.

6603.1.2.3 Group M occupancies. Class 4 unstable (reactive) materials shall not be stored or used in retail sales portions of Group M occupancies.

6603.1.2.4 Offices. Class 3 and 4 unstable (reactive) materials shall not be stored or used in offices of Group B, F, M or S occupancies.

6603.1.2.5 Classrooms. In classrooms in Group B, F or M occupancies, any amount of Class 3 and 4 unstable (reactive) materials shall be stored in accordance with the following: 1. Class 3 and 4 unstable (reactive)

materials shall be stored in hazardous material storage cabinets complying with Section 5003.8.7. 2. The hazardous material storage cabinets shall not contain other storage.

Need keep operational regulations in fire code. Doubt old building codes allow such unstable / reactive materials in Group A, E, I, or R occupancies. Offices not proper for such storage. Hazardous material storage cabinets need limit on types of storage which may cause problems if stored together.

By William Andrews September 2, 2016 12:47

6404.1.2 Pyrophoric solids and liquids. Storage of pyrophoric solids and liquids shall be limited to a maximum area of 100 square feet (9.3 m²) per pile. Storage shall not exceed 5 feet (1524 mm) in height. Individual containers shall not be stacked. Aisles between storage piles shall be not less than 10 feet (3048 mm) in width. Individual tanks or containers shall not exceed 500 gallons (1893 L) in capacity.

Need keep operational regulation in fire code. Doubt old building codes specify maximum storage height, prohibit stacking containers, or individual container size. Not impact building construction.

By William Andrews August 31, 2016 17:53

6303.2 Class 1 oxidizer storage configuration. The storage configuration of Class I liquid and solid oxidizers shall be as set forth in Table 6303.2 or in accordance with the applicable building code.

Need keep in fire code since doubt in older building codes, and not conflict with construction or use as stated by old building code. If building code specifies different, then "or" allows such.

By William Andrews August 31, 2016 17:50

6303.1.3 Ignition source control. Portable ignition sources in areas containing oxidizing gases shall be controlled in accordance with Section 5003.7.

Need keep in fire code about portable ignition sources, since not under building code.

By William Andrews August 31, 2016 17:47

6303.1.1.2 Class 3 liquid and solid oxidizers. Not more than 200 pounds (91 kg) of solid or 20 gallons (76 L) of liquid Class 3 oxidizer is allowed in storage and use where such materials are necessary for maintenance purposes or operation of equipment. The oxidizers shall be stored in approved containers and in an approved manner.

6303.1.1.3 Oxidizing gases. Except for cylinders of nonliquefied compressed gases not exceeding a capacity of 250 cubic feet (7 m³) or liquefied compressed gases not exceeding a capacity of 46 pounds (21 kg) each used

for maintenance purposes, patient care or operation of equipment, oxidizing gases shall not be stored or used in Group A, E, I or R occupancies or in offices in Group B occupancies.

Need keep operational safety regulations in fire code. Code specifically limits "storage and use where such materials are necessary for maintenance purposes or operation of equipment", which should not conflict with general amount in building or room approved by applicable building code. "The oxidizers shall be stored in approved containers and in an approved manner" is obvious common sense, enforceable by fire official when customer allows or causes obvious increased risk.

Doubt old building codes mention allowing Class 3 oxidizers in A, E, I, or R uses; or in offices of B occupancies. Reasonable, enforceable regulations of fire code.

By William Andrews August 31, 2016 17:37

6303.1.1.1 Class 4 liquid and solid oxidizers. The storage and use of Class 4 liquid and solid oxidizers shall comply with Sections 6303.1.1.1.1 through 6303.1.1.1.4.

6303.1.1.1.1 Group A, E, I or U occupancies. In Group A, E, I or U occupancies, any amount of Class 4 liquid and solid oxidizers shall be stored in accordance with the following: 1. Class 4 liquid and solid oxidizers shall be stored in hazardous materials storage cabinets complying with Section 5003.8.7. 2. The hazardous materials storage cabinets shall not contain other storage.

6303.1.1.1.2 Group R occupancies. Class 4 liquid and solid oxidizers shall not be stored or used within Group R occupancies.

6303.1.1.1.3 Offices and retail sales areas. Class 4 liquid and solid oxidizers shall not be stored or used in offices or retail sales areas of Group B, F, M or S occupancies.

6303.1.1.1.4 Classrooms. In classrooms of Group B, F or M occupancies, any amount of Class 4 liquid and solid oxidizers shall be stored in accordance with the following: 1. Class 4 liquid and solid oxidizers shall be stored in hazardous materials storage cabinets complying with Section 5003.8.7. 2. Hazardous materials storage cabinets shall not contain other storage.

Need keep operational regulations on Class 4 liquid and solid oxidizers in fire code. Reminder this class of hazardous material can undergo EXPLOSIVE reaction due to contamination or exposure to thermal or physical shock, causes SEVERE increase in other material's burning rate, and can cause SPONTANEOUS ignition of combustibles! Doubt old building codes allow this hazard in Assembly, Educational, Institutional, or Residential uses; nor in offices or retail sales areas of B, F, M, or S. Customers should easily read fire code operational regulation, and fire official clearly read authority to regulate unless customer documents approved by applicable building code.

By William Andrews August 31, 2016 17:12

6203.1.1.1 Group A, E, I or U occupancies. In Group A, E, I or U occupancies, any amount of unclassified detonable and Class I organic peroxides shall be stored in accordance with the following: 1. Unclassified

detonable and Class I organic peroxides shall be stored in hazardous materials storage cabinets complying with Section 5003.8.7. 2. The hazardous materials storage cabinets shall not contain other storage.

6203.1.1.2 Group R occupancies. Unclassified detonable and Class I organic peroxides shall not be stored or used within Group R occupancies.

6203.1.1.3 Group B, F, M or S occupancies. Unclassified detonable and Class I organic peroxides shall not be stored or used in offices, or retail sales areas of Group B, F, M or S occupancies.

6203.1.1.4 Classrooms. In classrooms in Group B, F or M occupancies, any amount of unclassified detonable and Class 1 organic peroxides shall be stored in accordance with the following and/or the applicable building code. 1. Unclassified detonable and Class 1 organic peroxides shall be stored in hazardous materials storage cabinets complying with Section 5003.8.7. 2. The hazardous materials storage cabinets shall not contain other storage.

Need keep operational regulations of DETONABLE hazardous material in fire code! Doubt old building codes allow detonable material in Assembly, Educational, Institutional, or Residential uses. Storage in proper cabinets allows for rare needs, such as in special high school labs.

By William Andrews August 31, 2016 14:53

6004.1.1.1 Group A, E, I or U occupancies. Toxic and highly toxic compressed gases shall not be stored or used within Group A, E, I or U occupancies. Exception: Cylinders not exceeding 20 cubic feet (0.566 m³) at normal temperature and pressure (NTP) are allowed within gas cabinets or fume hoods.

6004.1.1.2 Group R occupancies. Toxic and highly toxic compressed gases shall not be stored or used in Group R occupancies.

6004.1.1.3 Offices, retail sales and classrooms. Toxic and highly toxic compressed gases shall not be stored or used in offices, retail sales or classroom portions of Group B, F, M or S occupancies. Exception: In classrooms of Group B occupancies, cylinders with a capacity not exceeding 20 cubic feet (0.566 m³) at NTP are allowed in gas cabinets or fume hoods.

Need keep as operational limits in fire code, for TOXIC compressed gases; which doubt old building codes allowed in Assembly, Educational, Institutional, or Residential areas of buildings. Exceptions of small amounts in gas cabinets or fume hoods provides for rare needs.

By William Andrews August 29, 2016 17:48

5906.5.3 Dust collection. Magnesium grinding, buffing and wire-brushing operations, other than rough finishing of castings, shall be provided ~~with approved hoods or enclosures for dust collection that are connected to a liquid precipitation type of separator that converts dust to sludge without contact (in a dry state) with any high-speed moving parts~~ limited to areas with safety systems maintained in accordance with the applicable building code.

Need keep operational regulation in fire code, referencing applicable building code on related built in safety features required.

By William Andrews August 29, 2016 17:40

5906.4 Storage of fine magnesium scrap. The storage of scrap magnesium shall comply with Sections 5906.4.1 through 5906.4.3.

5906.4.1 Separation. Magnesium fines shall be kept separate from other combustible materials.

5906.4.2 Storage of 50 to 1,000 cubic feet. Storage of fine magnesium scrap in quantities greater than 50 cubic feet (1.4 m³) [six 55-gallon (208 L) steel drums] shall be separated from other occupancies by an open space of not less than 50 feet (15 240 mm) or ~~by a fire barrier constructed in accordance with Section 707 of the International Building Code~~ maintained in accordance with the applicable building code.

5906.4.3 Storage of greater than 1,000 cubic feet. Storage of fine magnesium scrap in quantities greater than 1,000 cubic feet (28 m³) shall be separated from all buildings other than those used for magnesium scrap recovery operations by a distance of not less than 100 feet (30 480 mm).

Need keep most operational storage regulations in fire code, using applicable building code instead of IBC for construction barrier.

By William Andrews August 29, 2016 17:34

5906.3.1 Indoor storage. Indoor storage piles of pigs, ingots and billets ~~shall only be on floors of noncombustible construction.~~ Piles shall not be larger than 500,000 pounds (226.8 metric tons) each. Piles shall be separated by aisles with a minimum width of not less than one-half the pile height or maintained in accordance with the applicable building code.

Need keep most in fire code, with reference to applicable building code on aisles to avoid conflict.

By William Andrews August 29, 2016 17:29

5906.2.1 Storage of greater than 50 cubic feet. Magnesium storage in quantities greater than 50 cubic feet (1.4 m³) shall be separated from storage of other materials that are either combustible or in combustible containers by aisles. Piles shall be separated by aisles with a minimum width of not less than the pile height.

5906.2.2 Storage of greater than 1,000 cubic feet. Magnesium storage in quantities greater than 1,000 cubic feet (28 m³) shall be separated into piles not larger than 1,000 cubic feet (28 m³) each. Piles shall be separated by aisles with a minimum width of not less than the pile height. Such storage shall not be located in nonsprinklered buildings of Type III, IV or V construction, unless as approved in the applicable building code.

5906.2.3 Storage in combustible containers or within 30 feet of other combustibles. Where in nonsprinklered buildings of Type III, IV or V construction, as defined in the ~~International Building Code~~ applicable building

code, magnesium shall not be stored in combustible containers or within 30 feet (9144 mm) of other combustibles.

5906.2.4 Storage in foundries and processing plants. The size of storage piles of magnesium articles in foundries and processing plants shall not exceed 1,250 cubic feet (25 m3). Piles shall be separated by aisles with a minimum width of not less than one-half the pile height, or as approved by the applicable building code.

Need keep most in fire code as operational regulation, of combustible metal, which when ignited in bulk burns beyond ability of most suppression systems or firefighters to extinguish. Adding wordage of applicable building code avoids conflict with such.

By William Andrews August 29, 2016 17:18

5904.1.1 Pile size limits and location. Flammable solids stored in quantities greater than 1,000 cubic feet (28 m3) shall be separated into piles each not larger than 1,000 cubic feet (28 m3).

5904.1.2 Aisles. Aisle widths between piles shall not be less than the height of the piles, 4 feet (1219 mm), or in accordance with the applicable building code.

Need keep operational regulation in fire code; while aisle width can be per building code to avoid conflict.

By William Andrews August 29, 2016 17:11

5803.1.5.2 Static-producing equipment. Unless otherwise approved by the building official, static-producing equipment located in flammable gas storage or use areas shall be grounded.

Need keep in fire code for equipment which might not be under building code.

By William Andrews August 29, 2016 17:05

5706.6 Tank vehicles and vehicle operation. Tank vehicles shall be designed, constructed, equipped and maintained in accordance with ~~NFPA 385 and Sections 5706.6.1 through 5706.6.4~~ the applicable building code DOT regulations.

Vehicles should be per Department of Transportation regulations. Doubt any building code applicable to vehicles. Recognizes state fire code not retroactive on vehicles which DOT approved for such use.

By William Andrews August 29, 2016 16:57

5705.5.1 Corridor installations. Unless approved by the building official, in addition to the provisions of Section 5705.5, where wall-mounted dispensers containing alcohol-based hand rubs are installed in corridors or rooms and areas open to the corridor, they shall be in accordance with all of the following: 1. Level 2 and 3 aerosol containers shall not be allowed in corridors. 2. The maximum capacity of each Class I or II liquid dispenser shall

be 41 ounces (1.21 L) and the maximum capacity of each Level 1 aerosol dispenser shall be 18 ounces (0.51 kg). 3. The maximum quantity allowed in a corridor within a control area shall be 10 gallons (37.85 L) of Class I or II liquids or 1135 ounces (32.2 kg) of Level 1 aerosols, or a combination of Class I or II liquids and Level 1 aerosols not to exceed, in total, the equivalent of 10 gallons (37.85 L) or 1,135 ounces (32.2 kg) such that the sum of the ratios of the liquid and aerosol quantities divided by the allowable quantity of liquids and aerosols, respectively, shall not exceed one. 4. The minimum corridor width shall be 72 inches (1829 mm). 5. and projections into a corridor shall be in accordance with ~~Section 1003.3.3~~ the applicable building code.

Should keep in fire code since most such dispensers are recently new, and portable; not under older building codes. Adding "unless approved by the building official" and per the "applicable building code" for building construction, helps avoid conflict with building code.

By William Andrews August 29, 2016 16:40

5705.3.2 Bonding of vessels. Unless approved by the building official, where differences of potential could be created, vessels containing Class I liquids or liquids handled at or above their flash points shall be electrically connected by bond wires, ground cables, piping or similar means to a static grounding system to maintain equipment at the same electrical potential to prevent sparking.

5705.3.3 Heating, lighting and cooking appliances. Heating, lighting and cooking appliances that utilize Class I liquids shall not be operated within a building or structure. Exceptions: Operation in single-family detached dwellings or as approved by the building official.

Need keep in fire code about items and system not under the building code. By adding "unless approved by the building official" prevents conflicting with construction code. Heating exception should not apply to a single-family dwelling within a multi-family or multi-use building, which also pose hazard to other tenants.

By William Andrews August 29, 2016 16:24

5705.2.2 Pressured systems. Unless approved by the building official, where gases are introduced to provide for transfer of Class I liquids, or Class II and III liquids transferred at temperatures at or above their flash points by pressure, only inert gases shall be used. Controls, including pressure relief devices, shall be provided to limit the pressure so that the maximum working pressure of tanks, containers and piping systems cannot be exceeded. Where devices operating through pressure within a tank or container are used, the tank or container shall be a pressure vessel approved for the intended use. Air or oxygen shall not be used for pressurization. Exception: Air transfer of Class II and III liquids at temperatures below their flash points.

Need keep in fire code so regulates systems which may not be under building code. By adding "unless approved by the building official", fire official and customer aware fire not enforceable if conflicts with as building code official approves.

By William Andrews August 29, 2016 16:17

5704.4.2.3 Security. The storage area shall be protected against tampering or trespassers where necessary and shall be kept free from weeds, debris and other combustible materials not necessary to the storage.

Need keep in fire code. Outside storage of hazardous materials; not about building or structure. Customer option to install fence to comply with required security; yet can use security staff or systems not needing building permit. Weeds and other combustibles not necessary for storage is operational concern.

By William Andrews August 29, 2016 16:01

5704.2.8.12 Liquid removal. Means shall be provided to recover liquid from the vault. Where a pump is used to meet this requirement, the pump shall not be permanently installed in the vault unless approved by the building official. Electric-powered portable pumps shall be suitable for use in Class I, Division 1, or Zone 0 locations, as defined in NFPA 70.

Need keep in fire code about portable pump; adding allowing permanent pump as approved by building official, so not conflict with applicable building code.

By William Andrews August 29, 2016 15:03

5701.5 Material classification. Flammable and combustible liquids shall be classified in accordance with the definitions in Chapter 2. When mixed with lower flash-point liquids, Class II or III liquids are capable of assuming the characteristics of the lower flash-point liquids. Under such conditions, the appropriate provisions of this chapter for the actual flash point of the mixed liquid shall apply. When heated above their flash points, Class II and III liquids assume the characteristics of Class I liquids. Under such conditions, the appropriate provisions of this chapter for flammable liquids shall apply.

The fire code needs to have clear definition and classifications of combustible and flammable liquids. Fire official and customers should not need to reference long ago building code which may not define or classify these hazardous materials. If built in 1910 and continuous same use, if applicable building code not classify Class I, II, and III liquids, then fire official unable to enforce vital regulations.

By William Andrews August 29, 2016 14:38

5106.2.2 Display of containers. Level 2 and 3 aerosol Aerosol containers shall not be stacked more than 6 feet (1829 mm) high from the base of the aerosol array to the top of the aerosol array unless the containers are placed on fixed shelving or otherwise secured in an approved manner. Where storage or retail display is on shelves, the height of such storage or retail display to the top of aerosol containers shall not exceed 8 feet (2438 mm).

Please keep in fire code as operational regulation, not impacting building construction.

By William Andrews August 29, 2016 14:27

5005.3.9 Weather protection. Where overhead noncombustible construction is provided for sheltering outdoor hazardous material use areas, such use shall not be considered indoor use where the area is constructed in accordance with the requirements for weather protection as required in the ~~International Building Code~~ the applicable building code. Exception: Use of explosive materials shall be considered as indoor use.

Please keep in fire code, to clarify to fire official and customer about inside vs. outside storage when under open sided overhead shelter.

By William Andrews August 29, 2016 12:54

5004.8.2 Pressure control. Stationary tanks and equipment containing hazardous material liquids that can generate pressures exceeding design limits because of ~~exposure fires or~~ internal reaction shall have ~~some form of construction or other~~ approved means that will prevent excessive pressure and/or relieve excessive internal pressure.

5005.1.4.1 High-liquid-level control. Open tanks in which liquid hazardous materials are used shall ~~be equipped with a liquid-level limit control or other~~ have means to prevent overfilling of the tank.

5005.1.4.2 Low-liquid-level control. Approved safeguards shall be provided to prevent a low-liquid level in a tank from creating a hazardous condition, including but not limited to, overheating of a tank or its contents.

5005.1.4.3 Temperature control. Temperature control shall be provided in accordance with Section 5004.8.1.

5005.1.4.4 Pressure control. Pressure control shall be provided in accordance with Section 5004.8.2.

Fire code needs to keep regulation of activities involving high risk, where not requiring construction beyond the applicable building code.

By William Andrews August 29, 2016 12:28

5005.1 General. Use, dispensing and handling of hazardous materials in amounts exceeding the maximum allowable quantity per control area set forth in ~~Section 5003.1~~ the applicable building code shall be maintained in accordance with Sections 5001, 5003 and 5005. Use, dispensing and handling of hazardous materials in amounts not exceeding the maximum allowable quantity per control area set forth in ~~Section 5003.1~~ the applicable building code shall be in accordance with Sections 5001 and 5003.

5005.1.1 Separation of incompatible materials. Separation of incompatible materials shall be maintained in accordance with Section 5003.9.8, where within construction complying with the ~~the~~ applicable building code.

Using the applicable building code to reference construction and how building official has approved use of structure, fire code changes need to accomodate applications where the applicable building code had little or no regulation on hazardous materials, to recent building codes which parallel fire code. Fire code needs to clearly continue to regulate some hazardous activities beyond as stated in the applicable building code.

By Jeffrey Strang August 29, 2016 08:44

This entire process is being rushed through without enough time to study the proposed changes. We have had at least four meetings now to discuss the proposed changes. After the DHCD staff reviews all the comments and makes the changes to the code there is not going to be enough for us to review what was typed up to ensure that there were not any mistakes made. Rushing through the process will lead to mistakes that will cause confusion now and will have to be corrected in future code changes.

By Jeffrey Strang August 28, 2016 12:51

CHAPTER 56 EXPLOSIVES AND FIREWORKS. The sections marked as "existing state amendment" need to remain in the fire code unless there is a conflict between what is in the fire code and the state amendment. Having this information in the fire code makes it easier for the fire marshal to find all the information needed in one place instead of having to go to several different places. This is especially important for the inexperienced fire marshal. This could apply to other sections of the state code as well.

By William Andrews August 26, 2016 17:49

5004.13 Weather protection. Where overhead noncombustible construction is provided for sheltering outdoor hazardous material storage areas, such storage shall not be considered indoor storage where the area is constructed in accordance with the requirements for weather protection as required by the International applicable building code. Exception: Storage of explosive materials shall be considered as indoor storage.

Need keep in fire code, so fire official, customer, etc. can learn official differentiation between inside vs. outside storage classifications. Not require construction, merely mentions structure when determining if inside vs. outside storage.

By William Andrews August 26, 2016 17:37

5004.8.1 Temperature control. Materials that must be kept at temperatures other than normal ambient temperatures to prevent a hazardous reaction shall be ~~provided with an approved means~~ stored as to maintain the temperature within a safe range.

Fire code needs requirement to store temperature sensitive items within safe temperature range. Not exceed building code. Up to customer to arrange safe storage temperature.

By William Andrews August 26, 2016 17:29

5003.11.3.7 Incompatible materials. Incompatible materials shall be separated in accordance with Section 5003.9.8.

Need keep in fire code. Operational, maintenance of storage concern against mixture of incompatible materials causing hazardous fumes, fire, or other danger to life and property.

By William Andrews August 26, 2016 17:24

5003.11.3.5 Container type. Containers shall be approved for the intended use and identified as to their content.

Need keep in fire code. Not conflict or exceed building code on construction.

By William Andrews August 26, 2016 17:18

5003.9.9 Shelf storage. Shelving shall be of substantial construction, and shall be braced and anchored maintained in accordance with the seismic design requirements of the International Building Code for the seismic zone in which the material is located. Shelving shall be treated, coated or constructed of materials that are compatible with the hazardous materials stored. Shelves shall be provided with a lip or guard where used for the storage of individual containers applicable building code.

Exceptions: 1. Storage in hazardous material storage cabinets or laboratory furniture specifically designed for such use. 2. Storage of hazardous materials in amounts not requiring a permit in accordance with Section 5001.5. Shelf storage of hazardous materials shall be maintained in an orderly manner.

Need keep in fire code, for shelving not under building code.

By William Andrews August 26, 2016 17:11

5003.2.6.2 Defective containers and tanks. Defective containers and tanks shall be removed from service, repaired in accordance with approved standards or disposed of in an approved manner.

Need keep requirement to stop using defective container, and repair or proper disposal. Maintenance, not require beyond building code.

By William Andrews August 26, 2016 17:07

5003.2.1 Design and construction of containers, cylinders and tanks. Portable containers, cylinders and tanks shall be designed and constructed maintained in accordance with approved standards. Containers, cylinders, tanks and other means used for containment of hazardous materials shall be of an approved type. Pressure vessels not meeting DOTn requirements for transportation shall comply with the ASME Boiler and Pressure Vessel Code.

Need keep in fire code about portable items. Items under building code to be maintained in accordance with applicable building code.

By William Andrews August 26, 2016 16:59

5001.3.3.8 ~~Detection of gas or vapor release~~ Hazard mitigation. Where a release of hazardous materials gas or vapor would cause immediate harm to persons or property, means of mitigating the dangerous effects of a release shall be provided.

Suggest change title, since not "detection" but means of mitigating hazard, and keep requirement. Serious "IMMEDIATE" harm to persons from hazardous gas or vapor!

By William Andrews August 26, 2016 16:44

3103.2 Approval required. Tents and membrane structures having an area in excess of 400 900 square feet (37 m2) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official be subject to Section 3103.4 and Table 107.

Size should be same as for permit, which is over 900 sq. ft.; same as for building permit.

By William Andrews August 26, 2016 16:38

2909.4 Nitrocellulose storage. Nitrocellulose storage shall be located on a detached pad or in a separate structure or a room enclosed in accordance with the ~~International Building Code~~ applicable building code. The nitrocellulose storage area shall not be utilized for any other purpose. Portable electrical ~~wiring and~~ equipment installed in storage areas adjacent to process areas shall comply with Section 2904.2.

Need keep in fire code limit against other uses of dedicated area, and portable potential ignition source.

By William Andrews August 26, 2016 16:26

2904.3.2 Vehicles. Tank vehicles loaded or unloaded through open connections shall be grounded and bonded to the receiving system.

Need keep in fire code. Not building construction but operational safety, involving vehicles actively transferring materials which static charge could create igniting spark unless properly grounded or bonded.

By Chris Anderson August 26, 2016 14:10

Chapter 55, Section 5503.10

5503.10 Lighting. The proposed changes are not construction related. The current language provides the inspector with a reference to "where required" lighting shall be maintained. I suggest leaving existing language and adding the proposed maintenance language.

5503.10 Lighting. Where required, lighting, including emergency lighting, shall be provided for fire appliances and operating facilities such as walkways, control valves and gates ancillary to stationary containers and maintained in accordance with the applicable building code.

By Chris Anderson August 26, 2016 14:02

5503.6 Electrical wiring and equipment. Electrical wiring and equipment shall be maintained in accordance with NFPA 70, sections 5503.6.1 and 5503.6.2, and in accordance with the applicable building code.

Suggest leaving the referenced code sections to include NFPA 70 and adding maintenance language.

By Chris Anderson August 26, 2016 13:56

Chapter 55 section 5503.5.2

Suggest leaving a portion of the existing code and adding maintenance language.

5503.5.2 Securing of containers. Stationary containers shall be maintained and secured in accordance with the USBC. Portable containers subject to shifting or upset shall be secured. Nesting shall be an acceptable means of securing containers.

By James Dawson August 26, 2016 07:49

See the attached document related to changes proposed in chapter 7.//JRD

Attachment: Public Comments - Ch 7.docx

Public Comments Related to the SFPC Changes Proposed – Chapter 7

703.1: The inspection of these fire protection systems is the basis for sound fire prevention and safety. Any system of components should be inspected at regular intervals for consistency and in order to determine if they have been damaged and rendered ineffective. The NFPA Standards concerning alarms, hood suppression, and sprinklers define specific inspection frequencies for those systems that are as short as weekly. Other more common are monthly, quarterly, and annual inspections of systems to ensure their proper function. Removing this inspection is not within the scope of “removing construction related” or “unenforceable provisions” of the code, which has been stated as the objective of this change. This model code language defines a nationally recognized inspection frequency of these passive fire protection systems that should remain in the SFPC as there has been no technical justification for its removal or problem identified. In the workgroup meeting on August 7th, there was some debate about the fire official being able to allow some inspection frequency greater than annually. The Fire Services Board Code Committee is reviewing this concept and will offer an alternative code change proposal to address that idea. This change should be rejected. DHCD Staff noted in the August 7th meeting that this would be “unstricken”. In the absence of a summary and modified code change proposal, there remains opposition to this change.

703.1.1: The stricken language here is the performance criteria that should be met in order to provide a measure of how the system has been maintained. This does not impart any other construction requirements on the system and has no justification for the change. Removing this statement allows ambiguity and subjective assessment of these systems to determine “maintenance” rather than specific criteria. This language should remain.

703.1.2: The removal of “to prevent the passage of smoke” is not a construction related requirement, rather a performance objective of these systems and provides guidance as to the purpose of the assembly. Removing this statement allows ambiguity and subjective assessment of these systems to determine what the purpose of these systems are. NFPA 105 includes the service related maintenance provisions that must be retained in order to provide specific and limited provisions of how, when, and what to maintain in these smoke barriers. With no guidance, arbitrary maintenance may be required and maintenance provisions that impact the function of these systems may not be required. This change weakens the code and deletes specific required maintenance of these barriers. There is no technical justification for this change.

704.2: With mild opposition to this deletion, I would note it removes an equivalent operation that has been used by fire code officials when self-closing operation of the doors has been compromised. This section provided an alternative of fusible linkages to release the door when magnetic hold open devices have failed. Removing this without adequate justification removes an alternative to replacing an entire door system.

By James Dawson August 26, 2016 07:27

See the attached document related to changes in chapter 6.//JRD

Attachment: Public Comments - Ch 6.docx

Public Comments Related to the SFPC Changes Proposed – Chapter 6

601.1 Scope: No issues, does provide clarity as long as the USBC does not reference this chapter.

603.1: This amendment is confusing. The title is “installation” and is focused on when this equipment is installed, it must be done so under the application of the USBC and other referenced codes (IMC). This change adds confusion as it is supposed to address installation but then mentions maintenance. If a user is looking for the maintenance requirements, this section would not be discovered due to its title. Likewise, if an enforcer was attempting to write a violation for an installation that was not installed with a permit or USBC inspections, this section will no longer exist and there is no clear SFPC violation for doing so. This section should remain without modification. There are no justifications for the change and no demonstrated conflicts.

603.1: The deletion of “installation” is reasonable to clarify this code is only for maintenance. The deletion of the balance of the section however removes some critical provision that address ongoing service, use, and maintenance issues. The manufacturer’s instructions dealing with operation and maintenance may change due to engineering flaws, CPSC recalls, or advisories from the manufacturer. When these are issues, unless the original language remains, the fire official has no authority to compel the owner to do what the new instructions provide. In fact, if the owner completed those directives, it would create a violation since the original instructions were the only thing that was noted in the “applicable building code”. At the workgroup meetings, there was discussion about modifying this section but no modifications have been noted. There are no supporting justifications for this specific change other than the deletion of the term “installation”. Other changes to this section should remain to ensure the proper maintenance of these systems.

603.1.4: This section should not be changed as the type of fuel used in this equipment should be able to be changed following approval by the fire official once it has been evaluated. This is an operational issue and not a construction provision. This effectively prohibits the use of yet to be designated fuels such as cleaner and more efficient fuels which may be reasonable to utilize in this equipment. Older fuels may not be available which would effectively require the replacement of these systems without the consideration for an alternative fuel type or source. There is no supporting argument for the removal of this provision and this change could prove a negative impact to the building owner if they were required to remove and replace the equipment due to the lack of the originally approved fuel.

603.1.5: The USBC does not outline requirements for access for these purposes. This requires that items that are not regulated under the USBC (storage, furnishings, etc) be kept clear of the equipment for access. The degree of access to this equipment is not a construction provision, and is not provided for in the USBC. The change makes this section unenforceable and increases the likelihood of fire, contributes to poor maintenance practices, and carries no substantiated justification. This section should remain unchanged.

603.1.6.1: There is no requirement in the USBC for these diagrams. This effectively removes the ability of the fire official from obtaining these for purposes of emergency response pre-planning and disaster/hazard mitigation. This removes a safety provision that is not included as a construction issue and should remain in the SFPC as written. There is no supporting justification for this section to be changed.

603.1.7: Clearances from construction elements are outlined in the USBC, but other items not regulated by the USBC are also required to maintain clearance from this equipment. These clearance requirements are specified in NFPA 70. The use of NFPA 70 in this section has no impact on the installation regulated by the USBC, but removing it will eliminate the clearance requirements that are not regulated by the USBC. This will allow hazardous conditions to arise with no enforcement authority for the fire official. This section should remain unchanged as this change weakens the code and is not specifically justified.

603.3.1: The storage of fuel oil outside and in containers that are not within the scope of the USBC are within the scope of the SFPC. This removes a safety provision that may not be within the scope of the USBC. This also removes a standard related to the operational issues (NFPA 31). Since the USBC does not regulate outside storage, this code change would effectively unregulated the storage of fuel oil outside.

603.3.2: This change deletes the provisions of Chapter 57 in which the scope states that the chapter is related to “prevention, control and mitigation of **dangerous conditions** related to storage, **use, dispensing, mixing and handling** of flammable and combustible liquids” (emphasis added). These are all operational conditions that are not within the scope of the USBC, and to remove the chapter 57 reference and replace it with “maintained in accordance with the applicable building code” removes enforcement provisions related to how these materials are stored (not construction), how the products are used (not construction), and handled (not construction). These changes are enforceable and this change is without justification.

603.3.2.1: While I may disagree with this change in principle, after the AG’s informal opinion on the issue it’s clear that legislation would be needed to make this specific provision enforceable. This change as proposed addresses the issues associated with Section 603.3.2 as presented in the model code. The approval of this change would support not approving the change proposed in 603.3.2.

603.3.2.4: This amendment is confusing. The title is “installation” and is focused on when this equipment is installed, it must be done so under the application of the USBC and other referenced codes (IMC). This change adds confusion as it is supposed to address installation but then mentions maintenance. If a user is looking for the maintenance requirements, this section would not be discovered due to its title. Likewise, if an enforcer was attempting to write a violation for an installation that was not installed with a permit or USBC inspections, this section will no longer exist and there is no clear SFPC violation for doing so. This section should remain without modification. There are no justifications for the change and no demonstrated conflicts.

603.3.2.5: The deletion of this section removes a prohibition on tanks that are not regulated by the USBC. If a portable tank, not connected to the building systems is placed in this configuration, there is no violation of the code. This is a weakening of the SFPC and lacks justification for such a change.

603.3.3: The operational storage of fuel oil in underground tanks is not within the scope of the USBC are within the scope of the SFPC. This removes a standard related to the operational issues (NFPA 31). Since the USBC does not regulate the operational storage (the quantity limits are addressed elsewhere in 603.3.2.3), this code change would effectively reduce the scope of the SFPC and has no supporting justification for the change.

603.5: To understand what this section is addressing, the overhead section must be taken into consideration. This section deals specifically with heating appliances that are not a heating system in a building which is regulated by the USBC. This section deals with PORTABLE heating appliances that are not regulated by the USBC, but should be operationally regulated by the SFPC. There are no maintenance provisions in the building code for these types of heating equipment, the removal of the listing requirements will allow dangerous – unlisted – heating devices to be allowed, and removes those operational requirements associated with the subsequent code sections. This change as proposed would weaken the SFPC and allow dangerous conditions to no longer be corrected by a fire official. There are no demonstrated issues with how this section has been applied in the field to justify the change.

603.5.1: See the related opposition to the previous code section. This specific section relates to maintaining the guards provided for portable heating devices and should not be modified.

603.5.2: The title is “installation” and is focused on when this equipment is installed, it must be done so under the application of the USBC and other referenced codes (IMC). This change adds confusion as it is supposed to address installation and mentions maintenance. If a user was looking to the SFPC for how to install a heating system or portable device, this section in the model code provides that guidance. There are also operational and service related maintenance provisions in NFPA 70 that are being deleted. Specific servicing and inspections required by that standard will be removed if this change is approved. There is no documented problems with the application or enforcement of this specific section and the change lacks justification.

603.6.1: This change removes specific conditions that related to fire hazards as well as some limited construction provisions as related to the installation of a flue liner. There is an alternative proposal to be submitted to address the construction related elements of this section.

603.6.2: This change removes specific conditions that related to fire hazards. There is a generally vague referent to the repair of the metal chimney that could use additional clarification that those repairs must be performed in accordance with the USBC. There is an alternative proposal to be submitted to address that specific weakness in the SFPC.

603.6.3: The deletion removes a listing and labeling requirement. After market shrouds would effectively be prohibited unless installed at the time of construction. Existing language allows these decorative – non-structural – shrouds provided they meet the listing of the factory built chimney. This change limits the flexibility of the building owner and lacks sufficient justification.

603.6.4: This change removes specific conditions that related to fire hazards. This is not a construction related issue, but rather points out specific fire related hazards that require repair. The appropriateness of the supports would by nature of the code be required to be in compliance with the USBC, and are not construction related provisions.

603.6.5: This change removes specific conditions that related to hazardous conditions. This is not a construction related issue, but rather points out specific hazards requiring repair. The appropriateness of the supports would be required to be in compliance with the USBC, and are not construction related provisions.

603.7: The deletion of “defective” appliances eliminates the ability of local fire officials to require the removal of defective equipment or recalled equipment. A cooking appliance that has a safety recall order would not be required under the SFPC to be replaced if this change is approved. Defective equipment discovered after the CO is issued does not necessarily create a violation of the USBC, and the owner would not be compelled by any regulation to replace or removed the hazardous appliance. This is not a construction requirement and lacks any supporting justification for the change.

603.8: There are no service maintenance requirements in the USBC, and adding this language has no impact other than changing the intent of the section. This section requires that these systems are installed or constructed in accordance with the USBC. If there are instances where they were not installed in accordance with that code it creates a violation that must be corrected by following the proper building code and permitting processes. This section does not deal with maintenance and with the added language changes the intent, and as a result should not be changed as part of this effort.

603.8.1, 603.8.2: Residential incinerators are typically not a component of construction, but rather stand alone, back yard type incinerators. This change removes the fire official’s authority to *approve* or disapprove these devices. This change changes the code to only regulate those incinerators that are building components, and creates an unregulated home incinerator that can be used without regulation since it is not “prohibited under the applicable building code” as the proposed change would suggest. This change is not justified and weakens the SFPC.

603.8.3; 603.8.4; 603.8.5: All of these provisions are operational in nature and have no impact on the way commercial or residential incinerators are constructed. The existing provisions allow the fire code official to restrict the use of these devices in conditions when it would create a danger to public health due to wind and weather conditions. If approved, the only time a fire official could order the discontinuance of the use of these incinerators would be when they were not properly maintained – a provision that is not within the scope of the building code as

suggested. Drought or other weather conditions could no longer be a condition that would allow the fire code official to prohibit their use. This change also conflicts with various Clean Air Act provisions dealing with ozone abatement areas in the Commonwealth which prohibits this use during certain months of the year. This is a considerable change that weakens the fire prevention code and lacks any supporting justification.

603.8.6: The same arguments concerning the previous three sections apply. However, since this section is new to the 2015 edition of the code, and the proponents agree that this is a retrofit provision of a building code provision, the entire section should be deleted. But, the use of an incineration device is not within the scope of the USBC, and the deletion or retention of this section should be based on the merits of this section alone. The National Model Code Committees have determined that this addition is warranted, and unless a compelling argument can be made in Virginia to remove it, it should remain. There is no supporting statement to that fact in this code change.

603.9: The ongoing protection of these meters should include a provision that allows the fire code official to approve other means to achieve that protection. The deletion of “or otherwise protected in an approved manner” eliminates all options for protection. This is overly restrictive and should be re-evaluated to note that the requirements of the applicable building code are maintained or otherwise protected in an approved manner to allow for flexibility in the use and function of a space.

Section 604 in entirety: I am confused as to what the note “park it” means. Is the deletion of the entire section part of the change or not? There are maintenance provisions at section 604.1.8 that are also being deleted. In the absence of a formal summary and or final version of this code change, this section needs further study.

606.1; 606.2; 606.3; 606.4: This change creates confusion. The subject is “installation” and is focuses on when this system is installed it must be done so under the application of the USBC and other referenced codes (IMC). There are no service maintenance provisions for these or other systems in the building code, so this change adds confusion in that mentions maintenance in accordance with the building code which does not require maintenance. There is no justification for the change and no demonstrated conflicts.

606.7: The change from “provided” to “maintained” is confusing based on the comments from DHCD staff at the August 3 Workgroup meeting. Those statements indicated all “signage issues” were taken care of in a previous sub-workgroup meeting I didn’t need to comment further. The implication that this (and other sections related to signage), were being withdrawn as a change. The provision of these signs is not within the scope and application of the USBC. A sign does not impact the materials or manner in which a building is constructed, and signs are not included within the definition of “construction” in the VCC. The provision of this and other signage is within the scope and authority of this code, and has not been challenged at any appeals or review board hearing. The deletion of the final sentence removes some of the criteria which

must be included in the signage, (not the sign, building or structure) and should remain as well. This is a public and firefighter safety issue that should be retained.

606.8: The establishments of TLV-TWA levels are dictated by the Code of Federal Regulations Title 29 Part 1910.120, better known as the OSHA Regulations. These concentrations are part of federal law and are evaluated and based on health and safety exposure limits. These limits are not established by the VCC or any other construction related standard, but are apparently referenced in the IMC as a “not higher than” value for the alarms. If an older building code required a different alarm point, there may be a condition that creates an OSHA violation while being in compliance with the OLD building code. Without clear justification for this change, and a demonstrated issue with the code as it is written, it should not be changed. When discussed at the August 3 Workgroup meeting, DHCD Staff indicated they would “research” the issue and it moved forward. No further documentation has been provided.

606.10.2.1: This section is operational in nature and not construction related. It defines the what and how of these crossover valves, not a requirement for the valve or a construction requirement. Inspectors use this section to verify the crossover valve does what it is supposed to do. To maintain it as it was approved provides no operational conditions that occur when the valve is activated and provides no guidance on the requirements of what has to happen when the valve is activated.

608.6.3: This change is confusing as the sections referenced (608.6.1 and 608.6.2) are removed. This section points to compliance with a code section that does not exist.

609.1: There are no service maintenance requirements in the USBC, and adding this language has no impact other than changing the intent of the section. This section requires that these ventilation systems “be maintained in accordance with the applicable building code.” Does that mean all of the maintenance provisions – cleaning, servicing of fans and electrical equipment – are in the USBC? The USBC does not contain any maintenance provision. Further, are the cleaning maintenance provisions in this chapter no longer applicable? This change adds confusion where no confusion has been demonstrated. A more clear statement may be “maintained in accordance with this section”. No other code change has been proposed as there is no identified problem with code as written and currently enforced.

By William Andrews August 25, 2016 16:52

2705.2.3.2 Protection of vessels. Vessels containing hazardous materials located in or connected to a workstation shall be protected as follows:

1. HPM: Vessels containing HPM shall be protected from physical damage and shall not project from the workstation.

2. Hazardous cryogenic fluids, gases and liquids: Where provided, protection of hazardous cryogenic fluid, gas and liquid vessels located within a workstation ~~shall be protected from seismic forces in an approved manner in accordance with the International Building Code~~ shall be maintained in accordance with the applicable building code.

Fire code should state requirement to maintain seismic protection where was installed per building code. Beyond unenforceable appendix N, where fire official and customer may not notice, covers special safety for hazardous vessels within workstation.

By William Andrews August 25, 2016 16:33

2703.7.2 Workstations. Portable electrical equipment and devices within 5 feet (1524 mm) of workstations in which flammable or pyrophoric gases or flammable liquids are used shall comply with NFPA 70 for Class I, Division 2 hazardous locations. Where ventilation provided, workstations shall not be energized ~~without adequate exhaust ventilation in accordance with Section 2703.14 unless ventilation system in operation.~~ Exception: Class I, Division 2 hazardous electrical equipment is not required where the air removal from the workstation or dilution will prevent the accumulation of flammable vapors and fumes on a continuous basis.

Fire code needs regulate portable electrical equipment and devices not under building code maintenance. Where workstation has existing ventilation system, fire code operational requirement for using ventilation when using workstation.

By William Andrews August 25, 2016 16:24

2703.3.5 Gas cabinets. Gas cabinets shall comply with Section 5003.8.6 where not installed via a building permit and shall be maintained in accordance with the applicable building code where installed via a building permit.

Some gas cabinets are portable, merely plug ventilation system into electrical outlet and connect exhaust hose to building's exhaust system which is approved for this hazard. Fire code needs cover situations where maintenance via building code not cover portable cabinet.

By William Andrews August 25, 2016 16:09

2501.3 Ethylene generators. Approved ethylene generators shall be operated and maintained in accordance with Section 2506.

2503.1 Location. Ethylene gas shall be discharged only into ~~approved~~ rooms or enclosures ~~designed and constructed for this purpose~~ approved by the building official.

2503.2 Dispensing. Valves controlling discharge of ethylene shall provide positive and fail-closed control of flow and shall be set to limit the concentration of gas in air below 1,000 parts per million (ppm) or maintained in accordance with the applicable building code.

2504.1 Ignition prevention. Portable, temporary sources of ignition shall be controlled or protected in accordance with this section, and Chapter 3. Built in permanent built in sources of ignition shall be maintained in accordance with the applicable building code.

2504.2 Electrical wiring and equipment. Portable, temporary electrical wiring and equipment, including luminaries, shall be approved for use in Class I, Division 2, Group C hazardous (classified) locations. Permanent wiring and equipment shall be maintained in accordance with the applicable building code.

2504.3 Static electricity. Portable containers, piping and equipment not installed via building permit, used to dispense ethylene shall be bonded and grounded to prevent the discharge of static sparks or arcs.

2504.4 Lighting. Portable lighting shall be by approved electric lamps or luminaries only.

2504.5 Heating. Portable, temporary heating shall be by indirect means utilizing low-pressure steam, hot water or warm air.

2505.1 Housekeeping. Empty boxes, cartons, pallets and other combustible waste shall be removed from ripening rooms or enclosures and disposed of at regular intervals in accordance with Chapter 3.

2506.1 Ethylene generators. Ethylene generators shall be listed and labeled by an approved testing laboratory, approved by the fire code official and used only in approved rooms in accordance with the ethylene generator manufacturer's instructions. The listing evaluation shall include documentation that the concentration of ethylene gas does not exceed 25 percent of the lower explosive limit (LEL) maintained in accordance with the applicable building code.

2506.2 Ethylene generator rooms. Ethylene generators shall be used in rooms ~~having a volume of not less than 1,000 cubic feet (28 m³)~~ approved by the building code official. Rooms shall have air circulation to ensure even distribution of ethylene gas and shall be free from sparks, open flames or other ignition sources.

Building code not cover maintenance of portable equipment such as many ethylene generators, thus need keep in fire code. Some lighting and heating provided by temporary, portable equipment, in storage buildings which lack permanent electrical or heating systems. Fire code needs enforceable regulation where building code not cover such safety concerns. Adding "portable, temporary" should clarify and ease conflict fears.

By William Andrews August 25, 2016 15:27

2408.3.1 Pressure tanks. Separate pressure vessels and inserts specifically for the application shall be used for the resin and for the organic peroxide, and shall not be interchanged. Organic peroxide pressure tank inserts shall be constructed of stainless steel or polyethylene.

Need keep in fire code. Regulates against activity of interchanging tanks, and specifies construction of replacement portable tanks. Not affect construction of building nor exceed building code specified materials.

By William Andrews August 25, 2016 15:15

2407.1 General. Electrostatic apparatus and devices used in connection with paint-spraying and paint-detearing operations, ~~shall be of an approved type~~ where as approved by the building code official, shall be maintained in accordance with the applicable building code. Where building permit not specially apply to equipment and systems, the manufacturer's instructions and the following applies.

2407.2 Location and clear space. A space of not less than twice the sparking distance shall be maintained between goods being painted or deteared and electrodes, electrostatic atomizing heads or conductors. A sign stating the sparking distance shall be conspicuously posted near the assembly.

Exception: Portable electrostatic paint-spraying apparatus listed for use in Class I, Division 1, locations.

2407.3 Construction of equipment. Electrodes and electrostatic atomizing heads shall be of approved construction, rigidly supported in permanent locations and effectively insulated from ground. Insulators shall be nonporous and noncombustible.

Exception: Portable electrostatic paint-spraying apparatus listed for use in Class I, Division 1, locations.

2407.3.1 Barriers. Booths, fencing, railings or guards shall be placed about the equipment such that either by their location or character, or both, isolation of the process is maintained from plant storage and personnel. Railings, fencing and guards shall be of conductive material, adequately grounded, and not less than 5 feet (1524 mm) from processing equipment or in accordance with the applicable building code.

Exception: Portable electrostatic paint-spraying apparatus listed for use in Class I, Division 1, locations.

Fire code needs authority to regulate equipment not specified in building permit. Some equipment can be installed without needing building permit, thus proper for fire code to regulate. Exceptions specify equipment listed for Class 1, Division 1 locations, thus portable equipment not so listed must comply with these requirements. "Approved construction", "permanent location" mean the equipment, not the building or structure regulated by the building code. Barrier might be portable, maybe not building feature under building code. Fire code needs enforcable sections on operational safety not under building code maintenance.

By William Andrews August 25, 2016 14:43

2406.2 Location. Powder coating operations shall be conducted ~~in enclosed powder coating rooms, enclosed powder coating facilities that are ventilated or ventilated spray booths~~ where approved by the building code official.

2406.6 Sources of ignition. Control of sources of ignition shall be in accordance with Section 2403.2 and Sections 2406.6.1 through 2406.6.4.

2406.6.1 Drying, curing and fusion equipment. Drying, curing and fusion equipment shall comply with Chapter 30.

2406.6.2 Spark-producing metals. Iron or spark-producing metals shall be prevented from being introduced into the powders being applied by magnetic separators, filter-type separators or by other approved means.

2406.6.3 Preheated parts. When parts are heated prior to coating, the temperature of the parts shall not exceed the ignition temperature of the powder to be used.

2406.6.4 Grounding and bonding. Precautions shall be taken to minimize the possibility of ignition by static electrical sparks through static bonding and grounding, where possible, of powder transport, application and recovery equipment.

Need keep in fire code regulations about where risky activities occur, such as limited to rooms or areas approved by the building official. Fire code needs to regulate portable ignition sources in such hazardous areas. Fire code requirement to prevent sparking materials mixed with spray powders, via methods which may not need building permit. Temperature of heated parts are operational, proper for fire code, as relates to ignition temperature of powder (also operational concern, doubt specified in building code).

By William Andrews August 25, 2016 14:08

2405.10 Flow-coating operations which did not need building permit. Flow-coating operations shall comply with the requirements for dip tanks. The area of the sump and any areas on which paint flows shall be considered to be the area of a dip tank.

2405.10.1 Paint supply. Paint shall be supplied by a gravity tank not exceeding 10 gallons (38 L) in capacity or by direct low-pressure pumps arranged to shut down automatically in case of a fire by means of approved heat-actuated devices or in accordance with the applicable building code.

2405.11 Roll-coating operations. Roll-coating operations shall comply with Section 2405.10. In roll-coating operations utilizing flammable or combustible liquids, sparks from static electricity shall be prevented by electrically bonding and grounding all metallic rotating and other parts of machinery and equipment and by the installation of static collectors, or by maintaining a conductive atmosphere such as a high relative humidity maintained in accordance with the applicable building code.

Fire code needs regulations on equipment and operations not specially approved by the building official. Assemblage of racks, conveyor and spray systems might not require permits under building, mechanical, plumbing, etc. codes; thus fire code needs regulate operational risk of fire.

By William Andrews August 25, 2016 14:08

2405.10 Flow-coating operations which did not need building permit. Flow-coating operations shall comply with the requirements for dip tanks. The area of the sump and any areas on which paint flows shall be considered to be the area of a dip tank.

2405.10.1 Paint supply. Paint shall be supplied by a gravity tank not exceeding 10 gallons (38 L) in capacity or by direct low-pressure pumps arranged to shut down automatically in case of a fire by means of approved heat-actuated devices or in accordance with the applicable building code.

2405.11 Roll-coating operations. Roll-coating operations shall comply with Section 2405.10. In roll-coating operations utilizing flammable or combustible liquids, sparks from static electricity shall be prevented by electrically bonding and grounding all metallic rotating and other parts of machinery and equipment and by the installation of static collectors, or by maintaining a conductive atmosphere such as a high relative humidity maintained in accordance with the applicable building code.

Fire code needs regulations on equipment and operations not specially approved by the building official. Assemblage of racks, conveyor and spray systems might not require permits under building, mechanical, plumbing, etc. codes; thus fire code needs regulate operational risk of fire.

By William Andrews August 25, 2016 13:35

2405.2 Location of dip-tank operations. Dip-tank operations conducted in buildings used for Group A, I or R occupancies shall be located in a room ~~designed for~~ approved by the building code official for that purpose, ~~equipped with an approved automatic sprinkler system and separated vertically and horizontally from other areas in accordance with the International Building Code.~~

2405.3 Construction of dip tanks not needing building permit. Portable dip tanks shall be constructed in accordance with Sections 2405.3.1 through 2405.3.4.3 and NFPA 34. Dip tanks which not need building code permit to install, including drain boards, shall be constructed of noncombustible material and their supports shall be of heavy metal, reinforced concrete or masonry.

2405.3.1 Overflow which not need building permit. Dip tanks greater than 150 gallons (568 L) in capacity or 10 square feet (0.93 m²) in liquid surface area, which not need building permit, shall be equipped with a trapped overflow pipe leading to an approved location outside the building. The bottom of the overflow connection shall be not less than 6 inches (152 mm) below the top of the tank. (N)2405.3.2 Bottom drains. Dip tanks greater than 500 gallons (1893 L) in liquid capacity shall be equipped with bottom drains that are arranged to automatically and manually drain the tank quickly in the event of a fire unless the viscosity of the liquid at normal atmospheric temperature makes this impractical. Manual operation shall be from a safe, accessible location. Where gravity flow is not practicable, automatic pumps shall be provided. Such drains shall be trapped and discharged to a closed, vented salvage tank or to an approved outside location. Exception: Dip tanks containing Class IIIB combustible liquids where the liquids are not heated above room temperature and the process area is protected by automatic sprinklers.

2405.3.3 Dipping liquid temperature control. Protection against the accumulation of vapors, self-ignition and excessively high temperatures shall be provided for dipping liquids that are heated directly or heated by the surfaces of the object being dipped.

2405.3.4 Dip-tank covers. Dip-tank covers allowed by Section 2405.4.1 shall be capable of manual operation and shall be automatic closing by approved automatic-closing devices designed to operate in the event of a fire.

2405.3.4.1 Construction. Covers shall be constructed of noncombustible material or be of a tin-clad type with enclosing metal applied with locked joints.

2405.3.4.2 Supports. Chain or wire rope supports shall be utilized for cover supports or operating mechanisms maintained.

2405.3.4.3 Closed covers. Where provided, covers shall be kept closed when tanks are not in use.

2405.4.1 Fixed fire-extinguishing equipment. Where no existing approved automatic fire -extinguishing system, a dip-tank cover in accordance with Section 2405.3.4 shall be provided for the following dip tanks: 1. Dip tanks less than 150 gallons (568 L) in capacity or 10 square feet (0.93 m2) in liquid surface area. 2. Dip tanks containing a liquid with a flash point below 110°F (43°C) used in such manner that the liquid temperature could equal or be greater than its flash point from artificial or natural causes, and having both a capacity of more than 10 gallons (37.9 L) and a liquid surface area of more than 4 square feet (0.37 m2).

Fire code needs regulation on dip tanks (and assembled systems) not needing building (mechanical or plumbing) permit to install, such as portable tank equipment. 2405.3.4.3 is operational, not construction requirement and proper for fire official as enforceable. By adding "where provided" or clarify "as not needing building permit", conditions requirements so exceed building code.

By William Andrews August 25, 2016 13:02

2404.7.8 Filters. Air intake filters that are part of a wall or ceiling assembly shall be listed as Class I or II in accordance with UL 900. Exhaust filters shall be required.

2404.7.8.2 Attachment. Overspray collection filters shall be readily removable and accessible for cleaning or replacement.

Need keep in fire code. Filters are routinely replaced, without needing building permit; thus for fire official to regulate against inappropriate combustible or easily flammable materials. System needs to be maintained to allow routinely replacing filters.

By William Andrews August 25, 2016 12:52

2404.7.1 Operation. Where provided, mechanical ventilation shall be kept in operation at all times while spraying operations are being conducted and for a sufficient time thereafter to allow vapors from drying coated articles and finishing material residue to be exhausted.

Need keep in fire code requirement to use existing ventilation system when spraying. Merely "maintaining" system not same as operational use at time while spraying. Where interlock exist, fire official should have authority to require at least annual test, to verify can't spray when ventilation fan off.

By William Andrews August 25, 2016 12:46

2404.3.3.1 Floor. Combustible floor construction in spraying spaces shall be covered by approved, noncombustible, nonsparking material, except where combustible coverings, such as thin paper or plastic and strippable coatings, are utilized over noncombustible materials to facilitate cleaning operations in spraying spaces.

Similar to similar prior spray booth & rooms, this needs to stay in fire code since requires replacing disposal covering materials, to prevent excessive accumulation of overspray in spray spaces.

By James Dawson August 25, 2016 09:16

See the attached document for public comments related to changes in chapter 5.//jrd

By James Dawson August 24, 2016 08:40

See the attached document as a public comment to the changes proposed in Chapter 4. JRD

Attachment: Public Comments - Ch 4.docx

Public Comments Related to the SFPC Changes Proposed – Chapter 4

403.11.1.4: Agreed, the building official has no authority in this topic. The impact of adding and deleting tenants and different vendors in these facilities is a fire code/fire safety issue. Deleting the building official has no impact on this code. However, this is beyond the scope of this “re-write” to remove unenforceable construction provisions and should be addressed in a separate code change proposal.

By James Dawson August 24, 2016 08:38

See attached document as public comments for sections of Chapter 3 related to this change.

JRD

Attachment: Public Comments - Ch 3.docx

304.3.3 – Exception 1: This is not a provision that requires construction. The referenced section to the USBC provides guidance as to the design criteria that must be met in order to take advantage of this exception. Without this provision, any sprinkler system “approved” when the building was constructed would allow the use of this exception. Any partial area systems would meet these criteria and would allow the storage of these containers in areas that are not protected with sprinkler systems. This would lessen the degree of safety in existing buildings and increase the risk for the spread of fire.

304.3.4 – Exception 1: This too is not a provision that requires construction. The referenced section to the USBC provides guidance as to the design criteria that must be met in order to take advantage of this exception. Without this provision, any sprinkler system “approved” when the building was constructed would allow the use of this exception. Any partial area systems would meet these criteria and would allow the storage of these containers in areas that are not protected with sprinkler systems. This would lessen the degree of safety in existing buildings and increase the risk for the spread of fire.

306.1: The deletion of requiring the compliance with section 409 of the IBC provides guidance to the fire inspector when projection lighting and equipment is changed in a motion picture room. While the provisions of IBC 409 are construction related, this is not requiring the building to be retrofitted with those provisions unless the building owner would like to operate these types of projection equipment. The provision of IBC 409 can now be used by the fire official to evaluate the existing room to determine if the change in hazard is allowable under the SFPC. The change as approved will create confusion if the structure was built under an edition of the USBC that did not address this type of hazard. In that case, the only option for the fire inspector to do would be to prohibit these types of projection equipment.

308.3 – Exception 2: This section (308) deals with open flame devices, which can include portable equipment such as kerosene heaters which are not regulated by the USBC. The reference to the IMC provides guidance to the fire official about how these devices can be used safely. Without this reference, and with the added “the applicable building code” language, most if not all portable heaters that produce flames would be prohibited.

311.1.1: This section, in addition to outlining the process for determining an unsafe structure, provides the requirements needed to abate the hazard. Section 110 is not a proper reference here because that SFPC section as it was discussed in the workgroup is a directive to the fire official to correct those unsafe structures, not how to correct them. This stricken language removes some of the authority of the fire official to abate these hazards. There was considerable debate and confusion in the workgroup 2 meeting as to how this new language and the 110 reference would work. Alternative wording was suggested, but the scope of which was unknown. I suggest this section be removed from this specific change and further discussion on the issue be isolated to this specific provision and submitted as an individual code change. It seems to also be beyond the scope of the initial purpose of this change.

311.2.3: Chapter 7 of the IFC/SFPC provides the required maintenance items for these fire separations. The “applicable building code” does not include the required inspections and maintenance as required by the SFPC in chapter 7. Removing this reference to the existing fire code maintenance provisions and pointing to a regulation which has no maintenance requirements will lessen the effectiveness of the fire officials to ensure these separations will prevent the spread of fire. In the workgroup meeting on June 9, the Hospital Association indicated opposition to this change.

311.6 (2): The Building Official has no authority to require this here because this is a fire code provision and not a USBC requirement. While somewhat a construction provision, this is used as an effective way to compartmentalize construction areas and stores from open and operating stores in covered mall buildings. This has never been identified as a problem and has been used on a local level in many jurisdictions. This removes a safety requirement that local fire marshals routinely employ.

313.1 Exception 1: The terminology “applicable building code” should be consistent with other sections of the SFPC where it is changed. 311.3 uses the term “under the USBC”, and should be consistent here and in other sections where these terms are used.

313.1 Exception 3: This is not a provision that requires construction. The referenced section to the 903 section provides guidance as to the design criteria that must be met in order to take advantage of this exception. Without this provision, any sprinkler system “approved” when the building was constructed would allow the use of this exception. Any partial area systems would meet these criteria and would allow the storage of these containers in areas that are not protected with sprinkler systems. This would lessen the degree of safety in existing buildings and increase the risk for the spread of fire.

315.3.4: This change in essence fully prohibits storage in these conditions. This does not require a building provision per se, but provides an alternative to mitigate a hazardous condition. Storage is not regulated by the USBC, and as such, the SFPC has standing. The phrase “approved or not prohibited by the applicable building code” is vague and a poorly regulated code. The USBC does not “prohibit” storage, and to say that if the USBC does not prohibit something, it is allowed is an extensive broadening of an interpretation of the code. The USBC doesn’t expressly prohibit many things, rather it provides the how to build something. The SFPC does regulate how you use those structures, and how, where, and what can be stored in them. To remove these performance criteria simply creates an absolute prohibition that cannot be modified or altered by one interpretation, or is a wholesale allowance of combustibles in these areas since the USBC does not regulate storage. Much like previous notes, this is not a REQUIRED construction, rather it is an option that allows the building owner to use these spaces for storage when proper safeguards are in place. If there needs to be construction completed to that end, a building permit is required.

315.6: The sections being deleted are not construction provisions and are enforceable. This relates to abandoned cabling that can contribute to the fuel load in a plenum and should be removed when not in use or intended to be re-used.

316.6.1: This is not a construction provision, rather a prohibition on the placement of any structure (with the listed exception) in these utility easements. There are a number of “structures” that are unregulated by the USBC which this can impact. Tents below 900 square feet, small sheds, playground equipment, are all things that are unregulated by the USBC and are prohibited under this section currently. The removal of this section and adding the proposed language is a reduction in fire safety, and maybe unenforceable. The USBC does not regulate any utility easements, so how can the easement be maintained? The fire official does not have authority over the regulation of easements, so this is beyond the scope of their authority. The existing language should remain. In the June 9th workgroup, it was clear from statements of fire officials that these are enforceable provisions, they are routinely enforced but not frequently enforced, and the removal of this section weakens the code as well as creates an unenforceable provision in that fire official can’t maintain an easement. Cindy Davis indicated this would move forward as non-consensus even though there was no support for the change.

317.1 – 317.3: This section provides the guidance on how and where rooftop gardens can be placed on buildings. Other code sections direct the building owner to obtain a permit from the building official to review and verify the construction requirements are met. This only applies to new rooftop gardens and the effort is to verify the structural integrity of the building when the additional weight is added to the roof. Building officials indicate that the addition of a rooftop garden is a change in use, however the concern is that there is no true change of use as currently defined in the USBC, and therefore some building officials will see this as non=permit required work or additions. The fire official needs these provisions to give the building owner direction as to how the gardens should be constructed. This provides the avenue to accomplish that and get the required building permits. The other concern relates to older buildings that were constructed under a building code that did not include rooftop gardens. In that case, these were unregulated and provides a hole in the code which is directing the fire official to the building code under which it was built to maintain it and yet there is nothing in that building code to address this issue.

317.4: No objection, but adds nothing to the code since it is in the section that deals with rooftop gardens and vegetation. This addition is beyond the scope of the stated purpose of this code change.

318.1 – Exception 1: This is not a provision that requires construction. The referenced section to the USBC provides guidance as to the design criteria that must be met in order to take advantage of this exception. Without this provision, any sprinkler system “approved” when the building was constructed would allow the use of this exception. Any partial area systems would meet these criteria and would allow the storage of these containers in areas that are not protected with sprinkler systems. This would lessen the degree of safety in existing buildings and increase the risk for the spread of fire.

By William Andrews August 23, 2016 15:03

2404.3.2.5 Clear space. ~~Spray booths shall be installed so that all parts of the booth are readily accessible for cleaning.~~ Where so constructed, a clear space of not less than 3 feet (914 mm) shall be maintained on all sides of the spray booth. This clear space shall be kept free of any storage ~~or combustible construction.~~

Need retain regulation in fire code against storage within 3 feet of spray booth, where such space as constructed.

By William Andrews August 23, 2016 14:59

2404.3.2.3 Floor. Combustible floor construction in spray booths shall be covered by approved, noncombustible, nonsparking material, except where combustible coverings, including but not limited to thin paper or plastic and strippable coatings, are utilized over noncombustible materials to facilitate cleaning operations in spray booths.

Similar to spray rooms, this regulates temporary covering in spray booth. Not impact construction, but about safe maintenance by removing accumulated overspray.

By William Andrews August 23, 2016 14:48

2404.3.1.1 Floor. Combustible floor construction in spray rooms shall be covered by approved, noncombustible, nonsparking material, except where combustible coverings, including but not limited to thin paper or plastic and strippable coatings, are utilized over noncombustible materials to facilitate cleaning operations in spray rooms.

Need keep in fire code. Not requirement on construction. Requirement on temporary covering materials, which are routinely replaced to help manage accumulation of combustible spray residue.

By William Andrews August 23, 2016 14:43

2404.2 Location of spray-finishing operations. ~~Spray-finishing operations conducted in buildings used for Group A, E, I or R occupancies shall be located in a spray room protected with an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 and separated vertically and horizontally from other areas in accordance with the International Building Code. In other occupancies, spray-finishing operations shall be conducted in a spray room, spray booth or spraying space approved and maintained for such use in accordance with the applicable building code.~~

Need keep regulation in fire code on where may spray, to enable fire official to stop spraying where not approved by any building code.

By William Andrews August 23, 2016 14:32

2403.2.5 Grounding. ~~Metal parts of spray booths, exhaust ducts and piping systems conveying Class I or II liquids shall be electrically grounded in accordance with NFPA 70.~~ Metallic parts located in resin application areas, including but not limited to ~~exhaust ducts, ventilation fans,~~ spray application equipment and workpieces ~~and piping,~~ shall be electrically grounded.

Need keep in fire code requirement to electrically ground portable items, such as the item being sprayed (workpieces) and portable spray equipment.

By William Andrews August 23, 2016 14:24

2403.2.1.3 Areas adjacent to spray booths. Portable electrical ~~wiring and~~ equipment located outside of, but within 5 feet (1524 mm) horizontally and 3 feet (914 mm) vertically of openings in a spray booth or a spray room, shall be approved for Class I, Division 2 or Class II, Division 2 hazardous locations, whichever is applicable.

2403.2.1.4 Areas subject to overspray deposits. Portable electrical equipment in flammable vapor areas located such that deposits of combustible residues could readily accumulate thereon shall be specifically approved for locations containing deposits of readily ignitable residue and explosive vapors in accordance with NFPA 70.

Need keep in fire code about portable electrical equipment not under building code, which pose ignition risk in and near flammable vapor areas.

By William Andrews August 23, 2016 14:13

2403.2.1.1 Flammable vapor areas. Portable electrical wiring and equipment in flammable vapor areas shall be of an explosionproof type approved for use in such hazardous locations. Such areas shall be considered to be Class I, Division 1 or Class II, Division 1 hazardous locations in accordance with NFPA 70.

Need keep in fire code about portable electrical equipment where ignition risk of flammable vapors.

By William Andrews August 23, 2016 14:03

2311.3 Sources of ignition. Portable sources of ignition shall not be located within 18 inches (457 mm) of the floor and shall comply with Chapters 3 and 35.

Need keep regulation in fire code on portable ignition sources, which are not in conflict with building code.

By William Andrews August 23, 2016 14:00

2311.2 Storage and use of flammable and combustible liquids. The storage and use of flammable and combustible liquids in repair garages shall comply with Chapter 57 and Sections 2311.2.1 through 2311.2.4 and maintained in accordance with the applicable building code.

Need keep in fire code regulations on activities of storage of portable containers and use of hazardous materials, in addition to not exceeding limited quantities and maintaining built in tanks per the building code.

By William Andrews August 23, 2016 13:54

2310.6.1 Standpipe hose stations. Fire hose, where provided, shall be enclosed within a cabinet, and hose stations shall be labeled: FIRE HOSE—EMERGENCY USE ONLY.

Need keep in fire code. Clearly states "where provided" thus not require more than building code. Typical cabinets are size not needing building permit, help protect fire hose, and labeling not impact structure beyond building code.

By William Andrews August 23, 2016 13:47

2310.3.3 Hoses and nozzles. Dispensing of Class I, II or IIIA liquids into the fuel tanks of marine craft shall be by means of an approved-type hose equipped with a listed automatic-closing nozzle without a latch-open device or as approved by the applicable building code. Hoses used for dispensing or transferring Class I, II or IIIA liquids, when not in use, shall be reeled, racked or otherwise protected from mechanical damage.

2310.3.4 Portable containers. Dispensing of Class I, II or IIIA liquids into containers, other than fuel tanks, shall be in accordance with Section 2304.4.1.

2310.3.5 Liquefied petroleum gas. Liquefied petroleum gas cylinders shall not be filled at marine motor fuel-dispensing facilities unless approved. Approved storage facilities for LP-gas cylinders shall be provided. See also Section 2307.

Need keep much in fire code on activities, including equipment not under building code (such as mobile tanker or skid tank & dispenser). Automatic closing nozzle without latch open devices should be required, to reduce risk of spills into waterway. Portable containers and LPG cylinders are proper jurisdiction of fire code.

By William Andrews August 23, 2016 08:49

2310.2.3 Heating equipment. Portable heating equipment installed in Class I, II or IIIA liquid storage or dispensing areas shall comply with Section 2301.6. Permanently installed heating equipment shall be maintained in accordance with the applicable building code.

Need keep regulation in fire code on portable items, vs. those under building code.

By William Andrews August 23, 2016 08:16

2310.2.1 Class I, II or IIIA liquid storage. Class I, II or IIIA liquids stored inside of buildings used for marine motor fuel-dispensing facilities shall be stored in approved containers or portable tanks and in ~~Storage of Class I liquids shall not exceed 10 gallons (38 L)~~ accordance with the applicable building code. ~~Exception: Storage in liquid storage rooms in accordance with Section 5704.3.7.~~

2310.2.2 Class II or IIIA liquid storage and dispensing. Class II or IIIA liquids stored or dispensed inside of buildings used for marine motor fuel-dispensing facilities shall be stored in and dispensed from approved containers or portable tanks and ~~Storage of Class II and IIIA liquids shall not exceed 120 gallons (454 L)~~ in accordance with the applicable building code.

Need keep in fire code enforceable regulation of portable containers not under building code, while incorporating maintenance of "applicable building code" on concerns including limits of amounts inside.

By William Andrews August 23, 2016 08:03

2310.1 General. ~~The construction of marine motor fuel dispensing facilities shall be in accordance with the International Building Code and NFPA 30A.~~ The storage of Class I, II or IIIA liquids at marine motor fuel-dispensing facilities shall be in accordance ~~with this chapter and Chapter 57~~ this section and other applicable provisions of this code.

2310.2 Storage and handling. The storage and handling of Class I, II or IIIA liquids at marine motor fuel-dispensing facilities shall be in accordance with applicable provisions of this code and the applicable building code.

Need keep in fire code about storage of hazardous materials in containers not under the building code (such as portable containers, skid tanks, etc.). Change accomodates committee's "applicable building code" for construction features.

By William Andrews August 23, 2016 07:51

2309.6.1.2.4 Grounding and bonding. Cylinders, containers or tanks and piping systems used for defueling shall be bonded and grounded. Structures or appurtenances used for supporting the cylinders, containers or tanks shall be grounded in accordance with NFPA 70. The valve of the vehicle storage tank shall be bonded with the defueling system prior to the commencement of discharge or defueling operations.

Need keep in fire code. Applicable building code requires grounding and bonding of structural components, thus no conflict. Fire code official can enforce maintenance, and need this to apply when portable cylinders, containers, and parts such as valves get exchanged or handled in routine activities.

By William Andrews August 23, 2016 07:39

2309.6.1.2.1.3 Maximum flow rate. The maximum rate of hydrogen flow through the vent pipe system shall not exceed 1,000 cfm at NTP (0.47 m³/s) and shall be controlled by means of the manufacturer's equipment, at low pressure and without adjustment.

Need keep in fire code. Operational concern on flow rate, with enforceable forbidding adjustment.

By William Andrews August 22, 2016 18:07

2309.6.1.2.2 Construction documents. Construction documents shall be provided ~~illustrating the defueling system to be utilized. with pPlan details shall be of sufficient detail and clarity to allow for evaluation of the piping and control systems to be utilized and include the method of support for cylinders, containers or tanks to be used as part of a closed transfer system, the method of grounding and bonding and other requirements specified herein~~ for fire official to have record of features for this special hazard, for maintenance reference and better preparing for emergency responses.

Fire officials need authority to get vital information, such as construction documents on sites involving hazards such as storage and dispensing flammable gas. Documents not change construction. Fire code requires maintain, thus need record about what to maintain.

By William Andrews August 22, 2016 17:53

2309.5.1.1 Vehicle fueling pad. The vehicle shall be fueled ~~on noncoated concrete or other approved paving material having a resistance not exceeding 1 megohm as determined by the methodology specified in EN 108.~~ pad maintained in accordance with the applicable building code.

Need enforceable maintenance of pavement upon which vehicle fueled, so fire official aware and changes to surface must comply with building code for this hazard.

By William Andrews August 22, 2016 17:43

2309.3.1.2.3 Ignition source control. Open flames, flame-producing devices and other sources of ignition shall be controlled in accordance with Chapter 58 and maintained in accordance with the applicable building code.

Need keep in fire code for portable flame and ignition sources, which are not under building code.

By William Andrews August 22, 2016 17:35

2306.8.2 Compatibility. Dispensers shall be used only with the fuels for which they have been listed and which are marked on the product. Field-installed components including hose assemblies, breakaway fittings, swivel connectors and hose nozzle valves shall be provided in accordance with the listing and the marking on the unit.

2306.8.3 Facility identification. Facilities dispensing alcohol-blended fuels shall be identified by an approved means.

2306.8.4 Marking. Dispensers shall be marked in an approved manner to identify the types of alcohol-blended fuels to be dispensed.

Need keep in fire code. Regulates product used within systems, assuring systems compatible for product, and labeled so customers, service crew, and fire official easily see type of product. If facility changes from diesel to E85 (85% alcohol), yet continue to label pump as diesel; customers will have problem, systems can deteriorate and leak, maybe ignite, which is problem for fire official and facility. Merely changing label still may pose problem of leaks as incompatible components deteriorate.

By William Andrews August 22, 2016 17:17

2306.7.8 Gravity and pressure dispensing. Flammable liquids shall not be dispensed by gravity from tanks, drums, barrels or similar containers. Flammable or combustible liquids shall not be dispensed by a device operating through pressure within a storage tank, drum or container.

Need keep in fire code, for regulating operational activity not affecting building code features. 55-gallon drums, barrels, and similar containers should not be allowed to drain entire contents via gravity if dispensing device stays open accidentally. Fire officials accept common sense practice allows pouring from 5-gallon and smaller portable containers, but this enforceable authority against gravity dispensing from bigger containers not regulated by building code.

By William Andrews August 19, 2016 17:36

2304.3.2 Dispensers. Dispensing devices shall be maintained in accordance with the applicable building code. Dispensing devices operated by the insertion of coins or currency use shall not be used unless approved.

Reason to keep in fire code: Doubt building permit specifies how fuel dispensing device activated at unsupervised site. Operational safety concern instead of building construction. Customers using cash or publicly available currency are often untrained in safety procedures. Unsupervised fuel dispensing should be regulated by fire official, such as limited to customers trained in safety and emergency procedures (fire, spill, etc.). Wording needs to be adaptable as currency use changes, by credit cards, smart phones, or other transactions available to general public. Companies that train customers before allow use unsupervised fuel dispensers are responsible for properly reacting if emergency, and reporting problems.

By William Andrews August 19, 2016 17:05

2304.3.7 Quantity limits. At unsupervised locations, dispensing equipment capable of such shall operate in accordance with one of the following:

1. Dispensing devices shall be programmed or set to limit uninterrupted fuel delivery to 25 gallons (95 L) and require a manual action to resume delivery.
2. The amount of fuel being dispensed shall be limited in quantity by a preprogrammed card as approved.

This is more about operations than building construction. If fuel dispenser was made to be programmable or compatible with such device or system, this limits amount of fuel which may be dispensed in a single continuously flow. Goal is limit amount of spill if nozzle malfunctions, negligent or malicious activity at unsupervised location. Does not require retrofit on dispensers not already so capable.

By William Andrews August 19, 2016 16:37

2303.1 Location of dispensing devices. Dispensing devices shall be maintained in accordance with the applicable building code; those not installed under the building code (such as skid tanks) shall be located as follows: .

1. Ten feet (3048 mm) or more from lot lines.
2. Ten feet (3048 mm) or more from buildings having combustible exterior wall surfaces or buildings having noncombustible exterior wall surfaces that are not part of a 1-hour fire-resistance-rated assembly or buildings having combustible overhangs. Exception: Canopies constructed in accordance with the Building Code providing weather protection for the fuel islands.
3. Such that all portions of the vehicle being fueled will be on the premises of the motor fuel-dispensing facility.
4. Such that the nozzle, when the hose is fully extended, will not reach within 5 feet (1524 mm) of building openings.
5. Twenty feet (6096 mm) or more from fixed sources of ignition.

Need keep fire code requirement on devices not covered by building code, such as skid tanks placed as self contained combination of tank and dispensing device; operated by hand pump, or electrically via generator or other power.

By William Andrews August 19, 2016 16:09

2301.3 Construction documents. The fire code official may require that construction documents shall be submitted ~~for review and approval prior to~~ about the recent installation or construction of automotive, marine or fleet vehicle motor fuel-dispensing facilities and repair garages.

Since need permit from fire official to operate repair garage, and chapter 57 requires permit for storage tanks, fire official should be authorized to get construction documents. This merely about documents, not affect construction. "Recent" helps ease concerns about old construction which customer may not have such documents. As new construction occurs, minimal expense to provide fire official with copy of documents involved in building permits.

By William Andrews August 19, 2016 15:51

2108.4 Portable fire extinguishers. Portable fire extinguishers shall be selected, installed and maintained in accordance with this section and Section 906. A minimum of two, 2-A:10-B:C portable fire extinguishers shall be provided near the doors inside dry cleaning rooms containing Type II, Type III-A and Type III-B dry cleaning systems.

Need keep as is. Proposed editing not enforceable of merely select and install per this section yet section would not state what is required. Wording as is does NOT require construction, merely install portable fire extinguisher.

By William Andrews August 19, 2016 15:30

2104.2.4 Bonding and grounding. Where not part of building systems maintained in accordance with the applicable building code, portable storage tanks, treatment tanks, filters, pumps, piping, ducts, dry cleaning units, stills, tumblers, drying cabinets and other such equipment, where not inherently electrically conductive, shall be bonded together and grounded. Isolated equipment shall be grounded.

Need keep requirement for equipment not part of building. Many items are portable, move to position, plug in, and use; and may be exchanged without building permit. Items inherently electrically conductive, yet isolated, need proper bonding or grounding.

By William Andrews August 19, 2016 15:11

1027.1 Exterior exit stairways and ramps. Exterior exit stairways and ramps serving as an element of a required means of egress shall comply with this section be maintained in accordance with the applicable building code.

(N)[BE] 1027.2 Use in a means of egress. Exterior exit stairways shall not be used as an element of a required means of egress ~~for Group I-2 occupancies. For occupancies in other than Group I-2, exterior exit stairways and ramps shall be permitted as an element of a required means of egress for buildings not exceeding six stories above grade plane or that are not high-rise buildings.~~ shall be maintained in accordance with the applicable building code. (N)[BE] 1027.3 Open side.

1027.2 awkward wording, about shall NOT be used as required egress yet maintained per building code. Suggest delete, since 1027.1 covers, or change so stairs and ramps NOT serving as a required egress be maintained so safe to use.

By William Andrews August 12, 2016 16:48

904.12.6.1 Existing automatic fire-extinguishing systems. Changes in the cooking media, positioning of cooking equipment or replacement of cooking equipment shall not occur in existing commercial cooking systems unless approved by the building or fire official.

Cooking media (type of cooking oil used), positioning or replacement of portable equipment are maintenance concerns properly under fire code, thus need keep in fire code. Changing type of oil or other media in fryers, or shifting or changing cooking equipment so not properly protected by existing fire suppression system poses risk which fire official needs authority to regulate.

By William Andrews August 12, 2016 16:40

904.12 Commercial cooking systems. Automatic fire extinguishing system systems for commercial cooking systems shall be of a type recognized for protection of commercial cooking equipment and exhaust systems of the type and arrangement protected. Preengineered automatic dry- and wet-chemical extinguishing systems shall be listed, labeled and tested for the intended application. Other types of automatic fire-extinguishing systems shall be listed and labeled for specific use as protection for commercial cooking operations. Portable systems not under the applicable building code shall be installed in accordance with this code, its listing and the manufacturer's installation instructions.

Need retain requirement in fire code for automatic fire extinguishing systems not under the building code. Some cooking appliances are self-contained, including fire suppression, as place & connect similar to electric or gas stove; which not need permit under building code, thus properly regulated by fire code.

By William Andrews August 12, 2016 16:32

(N)905.7 Cabinets. Cabinets containing fire-fighting equipment, such as standpipes, fire hose, fire extinguishers or fire department valves, shall not be blocked from use or obscured from view, and maintained in accordance with the applicable building code.

Need keep wording against blocking or obscuring fire-fighting equipment cabinets. This is maintenance, about storage, etc. rather than construction as approved by building official.

By William Andrews August 12, 2016 16:13

904.1.1 Certification of service personnel for fire-extinguishing equipment. Service personnel providing or conducting maintenance on automatic fire-extinguishing systems, other than automatic sprinkler systems, shall possess a valid certificate issued by an approved governmental agency, or other approved organization for the type of system and work performed.

Need keep requirement for qualified party to service fire protection system. Fire official needs authority to require service party provide adequate documentation of qualification to work on such fire protection system. This is part of maintenance, proper testing and inspection of systems per NFPA standards. This does NOT affect construction.

By William Andrews August 12, 2016 16:06

903.3.6 Hose threads. Hydrants, fire hose threads and fittings used in connection with automatic sprinkler systems shall be as prescribed by the local fire official.

Need keep in fire code so new hydrants, Fire Department Connections, and standpipe connections to be usable by firefighters hoses.

By William Andrews August 12, 2016 15:57

901.2 The fire code official shall have the authority to require construction documents and calculations for all fire protection systems and that the installation, rehabilitation or modification of any fire protection system requires permits from the building official.

The fire official needs authority to get documents on fire protection systems, and require customer to get proper permits from building official when installing or changing fire protection systems (so fire official has record changes approved by building official). Without records, fire official unable to require maintain unknown.

By James Dawson August 12, 2016 11:48

Please find the attached comments/suggested edits to the notes summary from the June 9th workgroup which covered these SFPC changes through section 603.7.

Attachment: Public Comments to June 9th Meeting Summary.docx

Public Comments submitted to cdpVA August 8, 2016

Based on upon the “Summary Notes” from the June 9, 2016 Work Group 2 Meeting

Page 1 – in the first paragraph, Cindy Davis comments that VFPA recommended 10 representatives from various fire service organizations. Cindy Davis did request 5 names from VFPA and names from the Virginia Fire Services Board through George Hollingsworth, VFPA President. Mr. Hollingsworth responded with 5 members of VFPA as representatives and requested that Cindy Davis contact the Fire Services Board Chairman for additional names from that Board.

Page 2 – Comment from Robby Dawson concerning the reason statement published for this change. While this was a correct statement, I further went on to explain the position of the Fire Services Board was that this change should be in a proper format by chapter or section. This was not a belief or supposition statement, and is supported by the letter sent to Mr. Shelton by the Fire Services Board in November, 2015.

Page 2 – Cindy Davis comments about “the rewrite was a struggle” due to varying fire service representation at these meetings. It is important to understand the reasons for this inconsistency. The most significant reason was the pace and location of the meetings. Early in these meetings, an online survey was taken to identify the best dates for these meetings. DHCD staff set the meetings on the dates which best suited their work schedules which frequently conflicted with the fire service. DHCD staff were in control of the meeting schedule, was aware of who was or was not available for those meetings, and could have set the date to provide better consistency for fire service representation.

Page 3 – Cindy Davis comment about going back and make the reason statement for the code change more clear. A question has been asked but not yet answered about if or when this will occur. The concern is that the reason statement seems to infer that the original work group was in concurrence that these presented changes are supported by all who attended. That is not the case, and should be made clear in the reason statement.

Page 8 – Comments by Mike Maenner (304.3.3) – While he did make this statement, others noted that the code does not say “they must install a new sprinkler system”. This is not the only mechanism to comply with the code, but it does provide an option to the occupant/owner. This further confused by Cindy Davis’ comments that followed, but the option to remove the hazard is never documented in the summary document.

Page 12 – Andrew Milliken’s statement (311.1) for a suggestion to “scrap this entire section that would be outside the scope of this workgroup. Would be a separate code change.” – What was the outcome of this? There is no resolution noted in the summary.

Page 20 – The comments prior to section 317 were from Chief Monty Willaford, not Todd Strang.

Page 21 – Section 318 – The note to “go back and revisit, the same as in previous sections” – the comment was that those comments regarding similar exceptions should be captured at this discussion point as well. They were not discussed in the same detail as was done in 304.3.3, but the same issues

apply, and the same commentary should be included here. I did not specifically bring up the entire discussion in the interest of time with the hope the staff would either cut and paste or summarize the objections to removing design criteria (not an installation requirement) for the same reasons.

Page 23 – Section 503.1.1 - those comments regarding similar exceptions should be captured at this discussion point as well. They were not discussed in the same detail as was done in 304.3.3 and 318, but the same issues apply, and the same commentary should be included here. I did not specifically bring up the entire discussion in the interest of time with the hope the staff would either cut and paste or summarize the objections to removing design criteria (not an installation requirement) for the same reasons.

Page 23 – Section 504.2 - Comments by Robby Dawson about “leave as is” and other edits. What was the outcome?

Page 24 – Section 508.1.1 – There are a significant number of things in the USBC that gain approval from other sources in addition to the Building Official. The issue of the fire chief approving the issues associated with the fire command center is not any different than an approval from UL, ASTM, or any other individual or organization. The code is full of requirements that have to be met for the BO to “approve” a building, this is just one more in that list.

Summary notes through section 603.7//jrd

By William Andrews August 5, 2016 18:23

603.1: While appropriate to maintain fuel gas appliances built into structure, as approved by permit through building official, fire code needs to keep regulation of PORTABLE appliances NOT under building code. 601.1 Scope is not limited to systems installed via permit through the building official. If intend Chapter 6 to be so limited, scope should clarify. 313.1 generally prohibits fueled equipment inside building. 603.5 applies to heating appliances, which maintenance needs to remain in fire code for portable, plug items NOT under building code, such as electric or gas stoves & ovens. 603.4 forbids portable unvented fuel-fired heating equipment from A, E, I, R-1, R-2, R-3, and R-4, but not list, thus implies allows in B, M, R-5, S, and (surprisingly) H uses. Fire code needs to keep maintenance per manufacturer's instructions. 603.1.7 needs also require clearances per manufacturer's instructions for portable fuel fired appliances and equipment, where not covered under applicable building code. If not properly maintained, customer option to replace with safe appliance. Not need any permit to replace gas stove which simply connects to building's system.

603.7: Fire official needs authority to stop use of defective heating appliance beyond violation of building code, since building code NOT cover portable appliances. Average gas stove or portable fuel-fired heater not under building code, thus fire official must not be restricted to building code violation. Although edited code authorized urgent end of use, need keep flexibility of existing code for typical maintenance or repair requirements.
