

VIRGINIA:

BEFORE THE
STATE BUILDING CODE TECHNICAL REVIEW BOARD

IN RE: Appeal of Gregory Black
Appeal No. 23-09

DECISION OF THE REVIEW BOARD

I. Procedural Background

The State Building Code Technical Review Board (Review Board) is a Governor-appointed board established to rule on disputes arising from application of regulations of the Department of Housing and Community Development. See §§ 36-108 and 36-114 of the Code of Virginia. The Review Board's proceedings are governed by the Virginia Administrative Process Act (§ 2.2-4000 et seq. of the Code of Virginia).

II. Case History

On October 11, 2023, the Office of the Building Official for George Mason University (Building Official), the agency responsible for the enforcement of Part 1 of the 2018 Virginia Uniform Statewide Building Code (VUSBC), denied a modification request from Gregory Black, Director of Emergency Management and Fire Safety for George Mason University (Black), submitted on July 26, 2023, for fire alarm programming sequencing in George Mason University (GMU) owned R1/R2 occupancies, specifically the fire alarm replacement project at Potomac Heights located at 10350 York River Road Fairfax, Virginia 22030¹.

On October 26, 2023, Black filed an appeal to the Review Board. Appearing at the Review Board meeting for Black were Gregory Black and David Farris. Appearing at the Review Board meeting for the Building Official were David Kidd and Justin Biller.

¹ Potomac Heights at 10350 York River Road Fairfax, Virginia 22030 is located on the GMU campus.

III. Findings of the Review Board

A. Whether to uphold the decision of the Building Official denying the request for modification from Black for fire alarm programming sequencing in George Mason University (GMU) owned R1/R2 occupancies, specifically the fire alarm replacement project at Potomac Heights located at 10350 York River Road Fairfax, Virginia 22030.

Black argued that the proposed fire alarm programming sequencing in his request for modification, requiring that when two smoke detectors in a dwelling unit or suite sense smoke a general building fire alarm would activate, the building would be evacuated, and the fire department would be called, is much safer than the minimum code requirement which sends a supervisory alarm to the police department, activates only the smoke alarms in that particular dwelling unit or suite, does not notify everyone else in the building, and does not dispatch the fire department. Black further argued that the proposed fire alarm programming sequence would initiate building evacuation and get the appropriate first responders on scene faster. Black also argued that the proposed fire alarm programming sequencing exist in many other buildings on the GMU campus and other institutes of higher learning across the Commonwealth.

The Building Official argued that the activation of smoke alarms in an individual dwelling unit or suite is not to activate a general building fire alarm and building evacuation. The Building Official also argued that the fire alarm programming sequencing in Black's request for modification had a potential to create multiple nuisance alarms, whereby students could become fatigued with false fire alarms, begin to ignore the fire alarms, and possibly refuse to evacuate the building. The Building Official further argued that most fires in dormitories are confined to an individual dwelling unit or suite which are separated by a one-hour fire barrier. The Building Official also argued that having additional general building fire alarms would put students at risk when evacuating the building. The Building Official further argued that the risk

of building evacuation was greater than the potential fire hazard confined to a particular dwelling unit or suite. The Building Official concluded that he denied the request for modification to uphold the minimum code requirements and make it clear that smoke alarms in the dwelling units or suites are only to be supervisory alarms and do not trigger general building fire alarms.

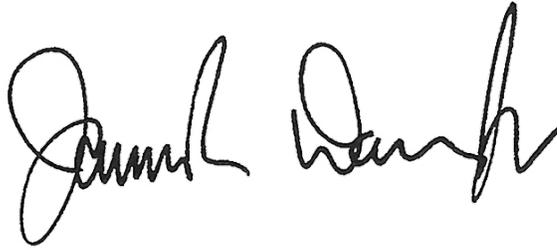
The Review Board found that the fire alarm programming sequencing in George Mason University (GMU) owned R1/R2 occupancies, specifically the fire alarm replacement project at Potomac Heights located at 10350 York River Road Fairfax, Virginia 22030 exceeded the minimum requirements of the VCC and increased the potential for nuisance alarms, whereby students could become fatigued with false fire alarms and begin to ignore the fire alarms which increased the risk to the students during unnecessary building evacuation.

IV. Final Order

The appeal having been given due regard, and for the reasons set out herein, the Review Board orders as follows:

A. Whether to uphold the decision of the Building Official denying the request for modification from Black for fire alarm programming sequencing in George Mason University (GMU) owned R1/R2 occupancies, specifically the fire alarm replacement project at Potomac Heights located at 10350 York River Road Fairfax, Virginia 22030.

The decision of the Building Official to deny the request for modification is upheld because the request exceeds the minimum code requirements of the VCC and increases the potential for nuisance alarms, whereby students could become fatigued with false fire alarms and begin to ignore the fire alarms which increases the risk to the students during unnecessary building evacuation.



Chair, State Building Code Technical Review Board

Date entered _____ March 15, 2024 _____

As provided by Rule 2A:2 of the Supreme Court of Virginia, you have thirty (30) days from the date of service (the date you actually received this decision or the date it was mailed to you, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with W. Travis Luter, Sr., Secretary of the Review Board. In the event that this decision is served on you by mail, three (3) days are added to that period.