

VIRGINIA STATE BUILDING CODE TECHNICAL REVIEW BOARD

I N T E R P R E T A T I O N

Interpretation Number: 3/2024

Code: Code of Virginia §36-99

Section No: Section B (1-3)

Code of Virginia 36-99. Provisions of Code; modifications

B. In formulating the Code provisions, the Board shall have due regard for generally accepted standards as recommended by nationally recognized organizations, including, but not limited to, the standards of the International Code Council and the National Fire Protection Association. Notwithstanding the provisions of this section, farm buildings and structures shall be exempt from the provisions of the Building Code, except for a building or a portion of a building located on a farm that is operated as a restaurant as defined in § 35.1-1 and licensed as such by the Board of Health pursuant to Chapter 2 (§ 35.1-11 et seq.) of Title 35.1. However, farm buildings and structures lying within a flood plain or in a mudslide-prone area shall be subject to floodproofing regulations or mudslide regulations, as applicable. However, any farm building or structure (i) where the public is invited to enter for an agritourism activity, as that term is defined in § 3.2-6400, for recreational, entertainment, or educational purposes and (ii) that is used for display, sampling, or sale of agricultural, horticultural, floricultural, or silvicultural products produced on the farm or the sale of agricultural-related or silvicultural-related items incidental to the agricultural operation shall have:

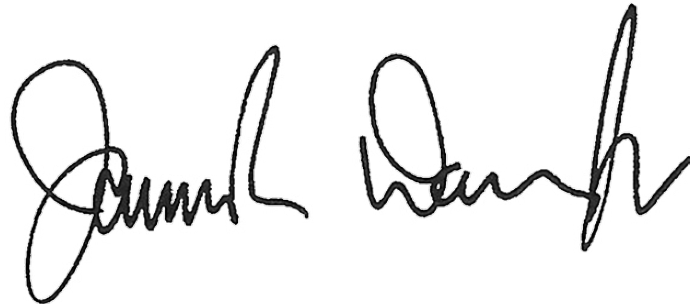
1. Portable fire extinguishers for the purpose of fire suppression;
2. A simple written plan in case of an emergency, but such plan shall not be construed to be interpreted as a fire evacuation plan under the Uniform Statewide Building Code or any other local requirements; and
3. A sign posted in a conspicuous place upon entry to the farm building or structure that states that "This building is EXEMPT from the Uniform Statewide Building Code. Be alert to exits in the event of a fire or other emergencies." Such sign shall be placed in a clearly visible location near the entrance to such farm building or structure. The notice shall consist of a sign no

smaller than 24 inches by 36 inches with clearly legible black letters, with each letter to be a minimum of one inch in height.

QUESTION: Is the Building Official responsible for enforcing §36-99(B) (1-3)?

ANSWER: No, because the scope of the VUSBC and the authority of the building official are limited to those codes and regulations promulgated by the Board of Housing and Community Development.

This Official Interpretation was issued by the State Building Code Technical Review Board at its meeting of April 19, 2024.

A handwritten signature in black ink, appearing to read "James H. Hensley". The signature is fluid and cursive, with the first name "James" being larger and more prominent than the last name "Hensley".

Chair, State Building Code Technical Review Board