

Legislative Up-Date Spring 2018

Linda M. Hale

VFPA Legislative Committee Chair



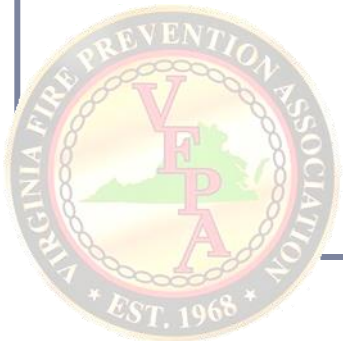
VFPA Legislative Committee Members

Jeremy Luttrell

Gerry Maiatico

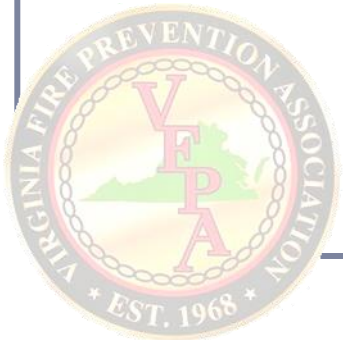
Mike Armstrong

Elaine Gall



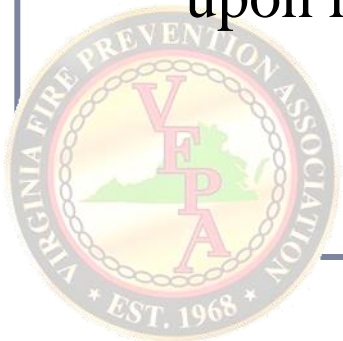
HB 844 (Fariss) Burn ban; definition of “orchard” and “vineyard”

Defines the terms “orchard” and “vineyard” for the purposes of the exception to the burn ban to prevent frost damage to orchards or vineyards



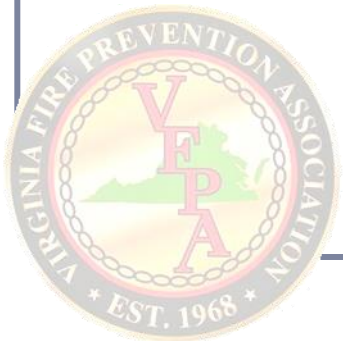
HB 609 (Carr) and SB 391 (Barker) Housing; installation and maintenance of smoke and carbon monoxide alarms.

- Standard for the installation of and maintenance of SA and CO alarms in rentals
- Requires landlord to:
 - Install SA
 - Certify annually that SA are installed and working
 - Install & maintain a CO alarm upon tenant request
- Tenant must not tamper with either
- Reasonable accommodation for deaf & hearing impaired upon request



Governor Northam Vetoes Legislation Restricting Local Authorities from Adopting Fire and Life Safety Regulations

Governor Ralph Northam vetoed HB 1595 and SB 972 which would restrict the ability of local governing bodies to adopt standards for protecting citizens and structures from fires involving combustible landscape cover materials.



Agritourism

During the 2018 General Assembly session, three bills were introduced concerning the application of building codes for rural commercial buildings including agritourism facilities.

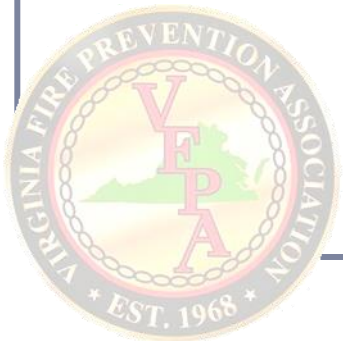
To understand the issue and its potential impact on rural economic development, Virginia Cooperative Extension was tasked by the House and Senate General Laws committees to review the issue from the agriculture and tourism perspective.



Statewide Fire Prevention Code (SFPC)

The Statewide Fire Prevention Code (SFPC) was published in the Virginia Register on April 30, 2018.

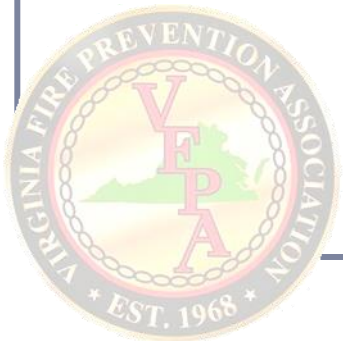
This marks the beginning of the final action phase, and the start of a 60 day final adoption period.



Statewide Fire Prevention Code (SFPC)

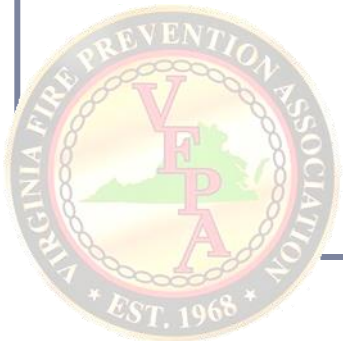
(N)317.2 Rooftop garden or landscaped roof size. Rooftop garden or landscaped roof areas shall not exceed the size approved in accordance with the applicable building code.

Similar to a vertical line in the column of a code book, the "(N)" designation in front of a section number indicates that the text of that section was amended or deleted during the code update process to remove construction-related provisions.



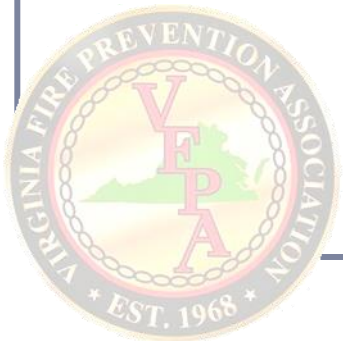
2012 SFPC language

317.2 Rooftop garden or landscaped roof size. Rooftop garden or landscaped roof areas shall not exceed 15,625 square feet in size for any single area with a maximum dimension of 125 feet in length or width. A minimum 6-foot-wide clearance consisting of a Class Aerated roof system complying with ASTM E108 or UL 790 shall be provided between adjacent rooftop gardens or landscaped roof areas.



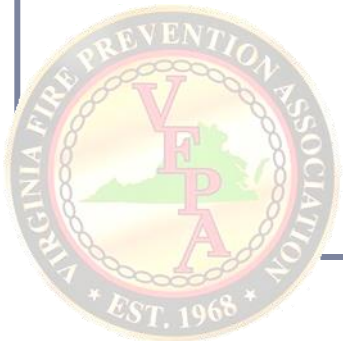
A Few Issues with the Adoption Process

- There are more than 80 changes in the Final regulations which were not presented to, or vetted in the workgroup process. These changes occurred in the later chapters of the SFPC which were glossed over in the last meeting of the workgroups in 2016. There was no further review of the DHCD proposal after those meetings.



A Few Issues with the Adoption Process

- The Final Regulations were not available to the Fire Services Board representatives until the last possible minute which prevented a full and careful evaluation of the proposal. This was in spite of the Final Regulations being presented to the building officials group for review two weeks prior to it being provide to the fire service or Fire Services Board members.



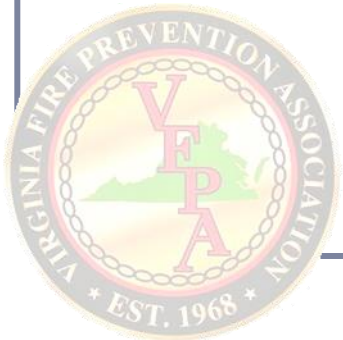
603.3.3 Underground storage of fuel oil.

What the code currently states:

The storage of fuel oil in underground storage tanks shall comply with NFPA 31.

Change Section 603.3.3 to read:

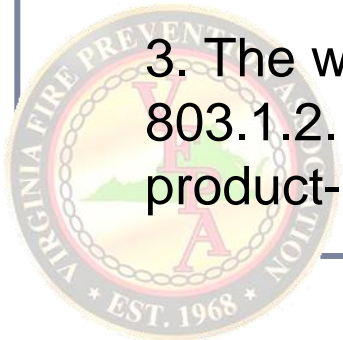
(N)603.3.3 Underground storage of fuel oil. The storage of fuel oil in underground storage tanks shall be maintained in accordance with the applicable building code.



INTERIOR WALL AND CEILING FINISH AND TRIM IN EXISTING BUILDINGS

803.5.1 Textile wall or ceiling coverings. Textile wall or ceiling coverings shall comply with one of the following:

1. The wall or ceiling covering shall have a Class A flame spread index in accordance with ASTM E84 or UL 723, and be protected by automatic sprinklers installed in accordance with Section 903.3.1.1 or 903.3.1.2.
2. The wall covering shall meet the criteria of Section 803.5.1.1 when tested in the manner intended for use in accordance with NFPA 265 using the product-mounting system, including adhesive, of actual use.
3. The wall or ceiling covering shall meet the criteria of Section 803.1.2.1 when tested in accordance with NFPA 286 using the product-mounting system, including adhesive, of actual use.



Section 803 Interior Wall and Ceiling Finish and Trim in Existing Buildings

(N)803.5 Textiles. Where used as interior wall or ceiling finish materials, textiles, including materials having woven or nonwoven, napped, tufted, looped or similar surface, shall comply with the requirements of the applicable building code.

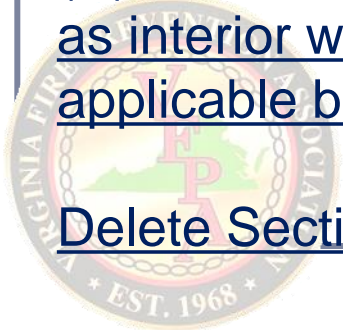
Delete Sections 803.5.1 and 803.5.1.1.

Change Sections 803.5.2 through 803.8 to read:

(N)803.5.2 Newly introduced textile wall and ceiling coverings. Newly introduced textile wall and ceiling coverings shall be approved by the building official.

(N)803.8 Foam plastic materials. Foam plastic materials shall not be used as interior wall and ceiling finish unless specifically allowed by the applicable building code.

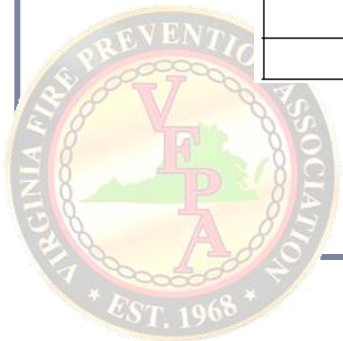
Delete Sections 803.8.1 through 803.8.3.



Delete Table 803.3.

TABLE 803.3
INTERIOR WALL AND CEILING FINISH REQUIREMENTS BY OCCUPANCY^a

GROUP	SPRINKLERED ¹			NONSPRINKLERED		
	Interior exit stairways and interior exit ramps and exit passageways ^{a, b}	Corridors and enclosure for exit access stairways and exit access ramps	Rooms and enclosed spaces ^c	Interior exit stairways and interior exit ramps and exit passageways ^{a, b}	Corridors and enclosure for exit access stairways and exit access ramps	Rooms and enclosed spaces ^c
A-1 & A-2	B	B	C	A	A ^d	B ^e
A-3 ^f , A-4, A-5	B	B	C	A	A ^d	C
B, E, M, R-1, R-4	B	C	C	A	B	C
F	C	C	C	B	C	C
H	B	B	C ^g	A	A	B
I-1	B	C	C	A	B	B
I-2	B	B	B ^{h, i}	A	A	B
I-3	A	A ^j	C	A	A	B
I-4	B	B	B ^{h, i}	A	A	B
R-2	C	C	C	B	B	C
R-3	C	C	C	C	C	C
S	C	C	C	B	B	C
U	No Restrictions			No Restrictions		

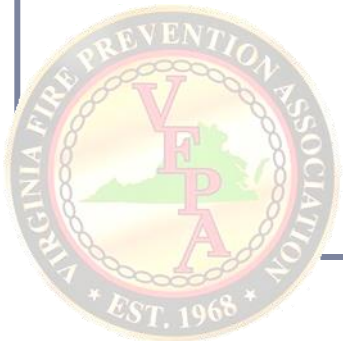


901.5.1 Occupancy

What the Code Currently States:

901.5.1 Occupancy. It shall be unlawful to occupy any portion of a building or structure until the required fire detection, alarm and suppression systems have been tested and *approved.*

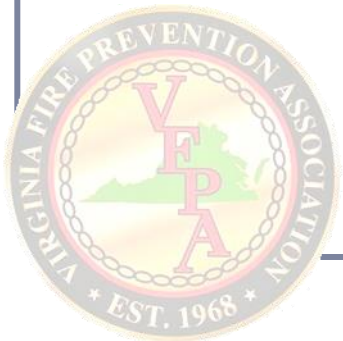
What the proposed code says:
Delete Section 901.5.1.



MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES

2306.7.5 Dispenser hose

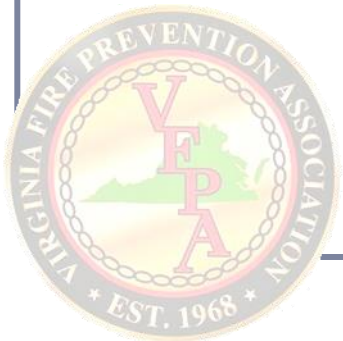
Dispenser hoses shall be not more than 18 feet (5486 mm) in length unless otherwise *approved*. Dispenser hoses shall be *listed* and *approved*. When not in use, hoses shall be reeled, racked or otherwise protected from damage.



MOTOR FUEL-DISPENSING FACILITIES AND REPAIR GARAGES

Change Section 2306.7.5 to read:

(N)2306.7.5 Dispenser hose. Dispenser hoses shall be maintained in accordance with the applicable building code.



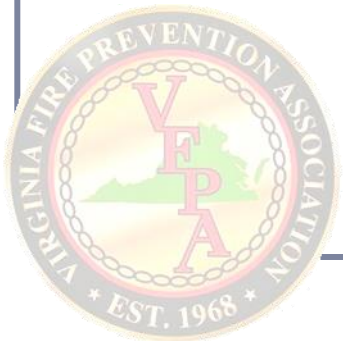
So What is the next step?

Written comment to the BHCD (the regulatory authority)

Agency contact person Kyle T. Flanders, Senior Policy Analyst, Department of Housing and Community Development

kyle.flanders@dhcd.virginia.gov

Main Street Centre, 600 East Main Street, Suite 300,
Richmond, VA 23219.



So What is the next step?

- Reference to the APA code section under which a petition may be filed regarding "changes with substantial impact" made between the proposed and final phases (§2.2-4007.06)
- Signatures of 25 or more persons
- Indicate which section or sections of the regulation (SFPC, USBC, etc.) for which those signing the petition are seeking an opportunity for additional comment
- Note the date of publication of the final regulation in the Register of Regulations (April 30, 2018).



Questions

