

**Virginia Board of Housing and Community Development  
CODES AND STANDARDS COMMITTEE  
2024 CODE CHANGE CYCLE – BOOK 2, PART 3  
May 11, 2026**



Virginia Board of Housing and Community Development  
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Tab 4 – Industrialized Building Safety Regulations (13VAC5-91) Base Document

Tab 5 – Industrialized Building Safety Regulations (IBSR) Proposal  
 Recommended by the General Stakeholder Workgroup as Consensus for  
 Approval

<b>Proposal No.</b>	<b>Proposal ID</b>	<b>Description</b>	<b>Page</b>
164	IB260-24	Allows issuance of replacement seals for registered industrialized buildings when the original seals are defaced or destroyed and sufficient documentation exists to show that the structure was registered.	Tab 5 – Page 1

Tab 6 – Virginia Amusement Device Regulations (13VAC5-31) Proposals  
 Recommended by the General Stakeholder Workgroup as Consensus for  
 Approval

<b>Proposal No.</b>	<b>Proposal ID</b>	<b>Description</b>	<b>Page</b>
165	AD40-24	Updates the ANSI and ASTM referenced standards with the most current editions.	Tab 6 – Page 1
166	AD75-24	Clarifies that multi-device inflatables and “bounce-parks” must have separate permit fees for each device connected to the inflatable park.	Tab 6 – Page 3

Tab 7 – Virginia Certification Standards (13VAC5-21) Proposals Recommended  
 by the General Stakeholder Workgroup as Consensus for Approval

<b>Proposal No.</b>	<b>Proposal ID</b>	<b>Description</b>	<b>Page</b>
167	CS10-24	Editorial revision to reference the correct Virginia Administrative Code section for SFPC (13-VAC5-52).	Tab 7 – Page 1
168	CS51-24	Increases the minimum number of continuing education hours required for all certificate holders (every two years) from 16 hours to 24 hours.	Tab 7 – Page 3



Tab 8 – General Stakeholder Workgroup Meeting Summaries

- July 29, 2025
- October 3, 2025
- January 5, 2026
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Tab 11 – USBC Emergency Regulation (13VAC5-63-240) Proposal

Description	Page Number
This proposed change is intended to incorporate the emergency amendments, which became effective on 5/29/2025 and are set to expire on 11/28/2026, into the 2024 USBC.	Tab 11 – Page 1



Tab 12 – Public Comments

Virginia Manufactured Home Safety Regulations (13VAC5-95) – No changes proposed



## **Tab 4**

### **Industrialized Building Safety Regulations**

#### **Base Document**

<b>Description</b>	<b>Page</b>
Industrialized Building Safety Regulations Base Document	Tab 4 – Page 1



**DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT**  
**2024 Industrialized Building Safety Regulations Base Document**

**5/28/2025**

**Summary** – This document is compiled by staff of the State Building Codes Office (SBCO) of the Division of Building and Fire Regulation. Its purpose is to make those changes necessary to the ~~2018~~ 2021 IBSR to utilize the ~~2021~~ 2024 editions of the International Codes and to review the existing IBSR for any changes necessary to comport with state law. Other substantive changes to the IBSR by interest groups or by SBCO staff are handled through proposals submitted through the department’s electronic code change system (cdpVA). Once the base document is approved by the Board of Housing and Community Development, any code change proposals which are approved by the Board of Housing and Community Development prior to the development of proposed regulations will be combined with the base document and brought back to the Board of Housing and Community Development as a separate “proposed regulations” document for review.

**13VAC5-91-10. Definitions.**

The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise.

**"Administrator"** means the Director of DHCD or his designee.

**"Approved"** as applied to a material, device, method of construction, registered building, or as otherwise used in this chapter means approved by the administrator.

**"Building official"** means the officer or other designated authority charged with the administration and enforcement of the USBC, or duly authorized representative.

**"Closed panel construction"** means a method of construction utilizing individual wall, roof, or floor components (panels) manufactured off site for installation or assembly at the construction site, where a portion of the component cannot be inspected at the building site without disassembly or damage to the component.

**"Compliance assurance agency"** means an architect or professional engineer registered in Virginia, or an organization, determined by DHCD to be specially qualified by reason of facilities, personnel, experience, and demonstrated reliability, to investigate, test and evaluate industrialized buildings; to list such buildings complying with standards at least equal to this chapter; to provide adequate follow-up services at the point of manufacture to ensure that production units are in full compliance; and to provide a label as evidence of compliance.

"**DHCD**" means the Virginia Department of Housing and Community Development.

"**ICC**" means the International Code Council, Inc.

"**Industrialized building**" means a combination of one or more closed panels, sections or modules, subject to state regulations and including the necessary electrical, plumbing, heating, ventilating, and other service systems, manufactured off-site and transported to the point of use for installation or erection, with or without other specified components, to comprise a finished building. Manufactured homes defined in § 36-85.3 of the Code of Virginia and certified under the provisions of the National Manufactured Housing Construction and Safety Standards Act (42 USC § 5401 et seq.) shall not be considered industrialized buildings for the purpose of this law.

"**Label,**" "**certification label,**" or "**compliance assurance agency certification label**" means the label required by 13VAC5-91-210.

"**Model**" means a specific design of an industrialized building designated by the producer of the building including production buildings with variations and options that do not affect compliance with the standards governing structural, plumbing, mechanical, or electrical systems or any other items governed by this chapter.

"**Registered**" means an industrialized building which displays a registration seal issued by DHCD in accordance with this chapter.

"**Seal,**" "**registration seal,**" or "**Virginia registration seal**" means the seal required by 13VAC5-91-260.

"**SBCO**" means the State Building Codes Office within DHCD.

"**State Review Board**" means the Virginia State Building Code Technical Review Board as established by § 36-108 of the Code of Virginia.

"**This law**" means the Virginia Industrialized Building Safety Law as embraced in Chapter 4 (§ 36-70 et seq.) of Title 36 of the Code of Virginia.

"**USBC**" means the Virginia Uniform Statewide Building Code (13VAC5-63).

#### **13VAC5-91-20. Application and compliance.**

A. In accordance with § 36-81 of the Code of Virginia, registered industrialized buildings shall be acceptable in all localities as meeting the requirements of the Industrialized Building Safety Law (Chapter 4 (§ 36-70 et seq.) of Title 36 of the Code of Virginia), which shall supersede the building codes and regulations of the counties, municipalities, and state agencies. Local requirements affecting industrialized buildings, including zoning, utility connections, preparation of the site, and maintenance of the unit shall remain in full force and effect. All building officials are authorized to and shall enforce the provisions of the Industrialized Building Safety Law (Chapter 4 (§ 36-70 et seq.) of Title 36 of the Code of Virginia) and this chapter.

B. In accordance with § 36-78 of the Code of Virginia, no person, firm, or corporation shall offer for sale or rental, or sell or rent, any industrialized building subject to any provisions of this chapter unless it conforms with the applicable provisions of this chapter.

Further, any industrialized building constructed before January 1, 1972, shall remain subject to the ordinances, laws, or regulations in effect at the time such industrialized building was constructed. Additionally, as a requirement of this chapter, any industrialized building bearing the label of a compliance assurance agency and Virginia registration seal shall remain subject to the provisions of this chapter that were effective when such building was constructed, regardless of whether the building has been relocated.

C. In accordance with § 36-99 of the Code of Virginia and in accordance with the USBC, the installation or erection of industrialized buildings and alterations, additions, or repairs to industrialized buildings are regulated by the USBC and not this chapter. The USBC provides for administrative requirements for permits, inspections, and certificates of occupancy for such work.

~~D. The use of off-site manufactured intermodal freight containers, moving containers, or storage containers as building modules or components of an industrialized building may be approved by the administrator in accordance with 13VAC5-91-150.~~

~~In reviewing the use of intermodal freight containers as structural building components, the administrator may accept evaluation reports from accredited third-party evaluation services.~~

E. Off-site manufactured intermodal freight containers, moving containers, and storage containers placed on site temporarily or permanently for use as a storage container are not subject to this chapter.

**13VAC5-91-30. Purpose.**

The purpose of this chapter is to ensure safety to life, health, and property through compliance with uniform statewide construction standards for industrialized buildings.

**13VAC5-91-40. Inspection and enforcement by administrator.**

A. The SBCO is designated as the administrator's representative for the enforcement of this chapter and shall act as the building official for registered industrialized buildings. It shall have authority to make inspections ~~during reasonable hours~~ at the manufacturing facilities and at building sites where industrialized buildings are being ~~installed~~. installed during reasonable hours without prior notice. The SBCO shall have authority to issue inspection reports for correction of violations caused by the manufacturer and to take such other actions as are required to enforce this chapter.

B. The SBCO will maintain a list of approved compliance assurance agencies. Each manufacturer producing registered industrialized buildings will contract with one or more compliance assurance agencies for required evaluation, monitoring and inspection services. The contract will delineate the services to be provided by the compliance assurance agency. The compliance assurance agency will notify the SBCO within 30 days of signing a new contract or terminating an existing contract with any manufacturer.

**13VAC5-91-50. Right of entry and examination by administrator.**

In accordance with § 36-82 of the Code of Virginia, the administrator shall have the right, at all reasonable hours, to enter into any industrialized building upon permission of any person who has authority or shares the use, access, or control over the building, or upon request from local officials having jurisdiction, for examination as to compliance with this chapter.

**13VAC5-91-60. Notice of violation from administrator.**

In accordance with § 36-82 of the Code of Virginia, whenever the administrator shall find any violation of this chapter, the administrator shall order the person responsible to bring the building into compliance within a reasonable time. In addition, as a requirement of this chapter, the administrator may request assistance from the building official for enforcement of this section. Any order issued by the administrator pursuant to this section shall contain a statement explaining the right of appeal of the order.

**13VAC5-91-70. Appeals.**

Any person aggrieved by DHCD's application of this chapter shall be heard by the State Review Board established by § 36-108 of the Code of Virginia. Such appeal shall be submitted within 21 calendar days of receipt of DHCD's decision. A copy of the decision of DHCD to be appealed shall be submitted with the application for appeal. Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of DHCD's decision.

**13VAC5-91-80. Limitation of manufacturer's liability.**

The manufacturer of a registered industrialized building shall not be required to remedy violations caused by on-site work by others not under ~~his~~ their control or violations involving components and materials furnished by others and not included with the registered industrialized building.

**13VAC5-91-90. Penalty for violation.**

In accordance with § 36-83 of the Code of Virginia, any person, firm or corporation violating any provisions of this chapter shall be considered guilty of a Class 1 misdemeanor and, upon conviction, shall be fined not more than \$1,000.

**13VAC5-91-100. Duties and responsibilities of building officials in the installation or erection of a registered industrialized building.**

A. All building officials are authorized by § 36-81 of the Code of Virginia to enforce the provisions of this chapter and shall be responsible for and authorized to do the following:

1. Verify through inspection that the registered industrialized building displays the required state registration seal and the proper label of the compliance assurance agency.
2. Verify through inspection that the registered industrialized building has not been damaged in transit to a degree that would render it unsafe. If the building has been damaged, then the

building official is authorized to require tests for tightness of plumbing systems and gas piping and an operational test to ensure that all luminaries and receptacles are operable.

3. If warranted due to the nature of any violations discovered, the building official shall be permitted to require the correction of any violations of this chapter before occupancy of the registered industrialized building is permitted.

4. Notify the SBCO of any apparent violations of this chapter.

B. In accordance with § 36-99 of the Code of Virginia and the USBC, all site work associated with the installation or erection of an industrialized building is subject to the USBC. In addition, under the USBC, all administrative requirements for permits, inspections, and certificates of occupancy are also applicable.

**13VAC5-91-115. Change of occupancy classification.**

When the occupancy classification of a registered industrialized building is changed, the change of occupancy shall be in accordance with one of the following:

1. A compliance assurance agency shall inspect the building, including any disassembly necessary, to determine whether compliance may be achieved for a change of occupancy classification in accordance with this chapter. If factory plans are available, then disassembly is not required to the extent that the factory plans can be reasonably verified to reflect the actual construction. Once any necessary work is completed, the compliance assurance agency shall prepare a report documenting the method utilized for the change of occupancy and any alterations to the building to achieve compliance. When the report is complete, the compliance assurance agency shall (i) mark the building with a new compliance assurance agency label in accordance with 13VAC5-91-210, which replaces the existing label; (ii) place a new manufacturer's data plate on the building in accordance with 13VAC5-91-245, which replaces the existing manufacturer's data plate and reflects the new occupancy classification; and (iii) forward a copy of the report and new data plate to the SBCO; or

2. A building official shall determine that a change of occupancy for an industrialized building meets the requirements of the USBC. The building official may require the submittal of plans approved by a registered design professional or inspection by an approved third party. A change of occupancy of a registered industrialized building, in accordance with the USBC and approved by the building official, must be reported to SBCO and the registration seal and data plate removed prior to occupancy.

**13VAC5-91-120. Unregistered industrialized buildings.**

The building official shall determine whether any unregistered industrialized building complies with this chapter and shall require any noncomplying unregistered building to be brought into compliance with this chapter in accordance with one of the following:

1. The unregistered building shall be registered in accordance with 13VAC5-91-125; or

2. The building official shall approve the unregistered building in accordance with the USBC. The building official may require submission of full plans and specifications for each building. Concealed parts of the building may be exposed to the extent necessary to permit inspection to determine compliance with the applicable requirements. The building official may also accept reports of inspections and tests from individuals or agencies deemed acceptable to the building official.

**13VAC5-91-125. Registration of unregistered industrialized buildings.**

An existing unregistered industrialized building may be registered in accordance with one of the following:

1. Where an unregistered building was constructed under an industrialized building program of another state and approved under such program, a compliance assurance agency shall prepare a report based on review of the plans and specifications and inspection of the building to determine whether there is compliance with the construction requirements of this chapter that were in effect on the date of manufacture of the building. If compliance is determined, the compliance assurance agency shall (i) mark the building with a compliance assurance agency label in accordance with 13VAC5-91-210, (ii) place a new manufacturer's data plate on the building in accordance with 13VAC5-91-245, (iii) mark the building with a registration seal in accordance with 13VAC5-91-260, and (iv) forward a copy of the report and new data plate to the SBCO.
2. Where an unregistered building was not approved under an industrialized building program of another state and the date of manufacture can be verified, the compliance assurance agency shall inspect the building, including any disassembly necessary, to determine whether there is compliance with the construction requirements of this chapter that were in effect on the date of manufacture of the building. When factory plans are available, disassembly is not required to the extent that the factory plans can be verified to reflect the actual construction of the building. When compliance with the construction requirements of this chapter that were in effect on the date of manufacture of the building is achieved, the compliance assurance agency shall prepare a report documenting compliance, outlining any changes made to the building, and certifying the building in accordance with clauses (i) through (iv) of subdivision 1 of this section.
3. When the date of manufacture of the existing unregistered building cannot be verified, the building shall be evaluated for compliance with the codes and standards specified in 13VAC5-91-160. The compliance assurance agency shall inspect the building, including any disassembly necessary, to determine whether there is compliance with these construction requirements. If compliance is achieved, the compliance assurance agency shall prepare a report documenting compliance, outlining any changes made to the building, and certifying the building in accordance with clauses (i) through (iv) of subdivision 1 of this section.

**13VAC5-91-140. Report to the SBCO.**

If a building, which has active violations, is moved from a jurisdiction before the violations have been corrected, the building official shall make a prompt report of the circumstances to the SBCO. The report shall include all of the following:

1. A list of the uncorrected violations.
2. All information contained on the label pertinent to the identification of the building, the manufacturer, and the compliance assurance agency.
3. The number of the Virginia registration seal.
4. The new destination of the building, if known.
5. The party responsible for moving the building.

**13VAC5-91-150. When modification may be granted.**

The administrator shall have the power upon request in specific cases to authorize modification of this chapter so as to permit certain specified alternatives where the objectives of this law can still be fulfilled. Such request shall be in writing and shall be accompanied by the plans, specifications, and other information necessary for an adequate evaluation of the modification requested. In reviewing the use of alternative methods or materials, the administrator may consider evaluation reports from accredited third-party evaluation services.

**13VAC5-91-160. Use of model codes and standards.**

A. Industrialized buildings entering the production assembly line after the effective date of the ~~2021~~ 2024 edition of this chapter shall comply with all applicable requirements of the codes and standards listed in subsection B of this section except that the following codes and standards may be used for industrialized buildings entering the assembly line during a one-year period after the effective date of the ~~2021~~ 2024 edition of this chapter:

1. ICC International Building Code - ~~2018~~ 2021 Edition
2. ICC International Plumbing Code - ~~2018~~ 2021 Edition
3. ICC International Mechanical Code - ~~2018~~ 2021 Edition
4. National Fire Protection Association Standard Number 70 (National Electrical Code) - ~~2017~~ 2020 Edition
5. ICC International Fuel Gas Code - ~~2018~~ 2021 Edition
6. ICC International Energy Conservation Code - ~~2018~~ 2021 Edition
7. ICC International Residential Code - ~~2018~~ 2021 Edition

B. The following documents are adopted and incorporated by reference to be an enforceable part of this chapter:

1. ICC International Building Code - ~~2021~~ 2024 Edition
2. ICC International Plumbing Code - ~~2021~~ 2024 Edition
3. ICC International Mechanical Code - ~~2021~~ 2024 Edition
4. National Electrical Code – ~~2020~~ 2023 Edition
5. ICC International Fuel Gas Code - ~~2021~~ 2024 Edition
6. ICC International Energy Conservation Code - ~~2021~~ 2024 Edition
7. ICC International Residential Code - ~~2021~~ 2024 Edition
8. ICC/MBI 1200-2021 Standard for Off-site Construction: Planning, Design, Fabrication and Assembly
9. ICC/MBI 1205-2021 Standard for Off-site construction: Inspection and Regulatory Compliance

C. As the ~~2021~~ 2024 editions of the International Codes are incorporated by reference as the construction standards for use with these regulations, this chapter is also referred to as the ~~2021~~ 2024 edition of the Virginia Industrialized Building Safety Regulations or the ~~2021~~ 2024 edition of this chapter.

The codes and standards referenced in this section may be procured from:

International Code Council, Inc.  
200 Massachusetts Avenue, NW, Suite 250 Washington,  
DC 20001

**13VAC5-91-170. Amendments to codes and standards.**

A. All requirements of the referenced model codes and standards that relate to fees, permits, certificates of use and occupancy, approval of plans and specifications, and other procedural, administrative, and enforcement matters that address the same subject matter and impose differing requirements are deleted and replaced by the procedural, administrative, and enforcement provisions of this chapter.

B. The referenced codes and standards are amended as set forth in the USBC.

**13VAC5-91-180. Compliance assurance agencies.**

A. Application shall be made to the SBCO for acceptance as a compliance assurance agency. Application shall be made under oath and shall be accompanied by information and evidence that is adequate for the SBCO to determine whether the applicant is specially qualified by reason of facilities, personnel, experience, and demonstrated reliability to investigate, test, and evaluate industrialized buildings for

compliance with this chapter and to provide adequate follow-up and compliance assurance services at the point of manufacture.

B. Following a determination by the SBCO that an application is complete, the information contained in the application and any other information deemed necessary by the SBCO will be reviewed for approval or disapproval. If the application is approved, the applicant will be notified with an approval letter. If the application is disapproved, the applicant will be notified in writing of the reasons for the disapproval. The applicant may then resubmit the application within 30 days of the receipt of the notification of disapproval for reconsideration of approval.

C. The SBCO may suspend or revoke the approval of a compliance assurance agency upon a determination that (i) approval was based upon fraudulent or inaccurate information, (ii) a change in facts or circumstances renders the agency incapable of meeting its duties and responsibilities as a compliance assurance agency in a satisfactory manner, or (iii) the agency failed to discharge its duties and responsibilities as a compliance assurance agency in a satisfactory manner. In such cases, the SBCO will issue a suspension or revocation notice to the agency outlining the reasons for the actions and the terms, if any, for reinstatement.

**13VAC5-91-190. Freedom from conflict of interest.**

A compliance assurance agency shall not be affiliated with, nor influenced or controlled by, producers, suppliers or vendors of products in any manner which might affect its capacity to render reports of findings objectively and without bias. A compliance assurance agency is judged to be free of such affiliation, influence and control if it complies with all of the following conditions:

1. The agency has no managerial affiliation with producers, suppliers or vendors and is not engaged in the sale or promotion of any product or material.
2. The results of the agency's work accrue no financial benefits to the agency through stock ownership of, or other similar affiliation to, any producer, supplier or vendor of the product involved.
3. The agency's directors and other management personnel in their job capacities receive no stock option or other financial benefit from any producer, supplier or vendor of the product involved.
4. The agency has sufficient interest or activity that the loss or award of a specific contract to determine compliance of a producer's, supplier's or vendor's product with this chapter would not be a determining factor in its financial well-being.
5. The employment security status of the agency's personnel is free of influence or control by producers, suppliers or vendors.

**13VAC5-91-200. Information required by the administrator.**

All of the following information and criteria will be considered by the administrator in designating approval of compliance assurance agencies:

1. Names of officers and location of offices.
2. Specification and description of services proposed to be furnished under this chapter.
3. Description of qualifications of personnel and their responsibilities, including an assurance that personnel involved in system analysis, design and plans review, and compliance assurance inspections and their supervisors comply with the requirements of the American Society for Testing and Material (ASTM) Standard Number E541-10 - Standard Specification for Agencies Engaged in System Analysis and Compliance Assurance for Manufactured Building or shall obtain ICC or DHCD certifications in the appropriate subject area within 18 months of employment and maintain such certifications in an active status.
4. Summary of experience within the organization.
5. General description of procedures and facilities to be used in proposed services, including evaluation of the model, factory follow-up, quality assurance, labeling of production buildings, and specific information to be furnished on or with labels.
6. Procedures to deal with any defective buildings resulting from oversight.
7. Acceptance of these services by independent accrediting organizations.
8. Proof of independence and absence of conflict of interest.

The ASTM Standard Number E541-10 may be procured from:

American Society for Testing and Materials 100 Barr Harbor Drive West Conshohocken, PA 19428-2959
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**13VAC5-91-210. Compliance assurance agency certification label.**

A. Registered industrialized buildings shall be marked with certification labels supplied by the compliance assurance agency that includes the name and address of the compliance assurance agency and the numbers of the certification labels. The labels shall be applied to registered industrialized buildings intended for sale or use in Virginia and shall be applied prior to the shipment of the building from the place of manufacture. The labels shall be applied by the compliance assurance agency or by the manufacturer when so authorized by the compliance assurance agency.

B. Registered industrialized buildings shall bear one certification label on each manufactured section or module, or as an alternative, the certification label for each manufactured section or module may be placed in one location in the completed building.

**13VAC5-91-220. Mounting of compliance assurance agency certification label.**

To the extent practicable, the certification label shall be installed so that it cannot be removed without destroying it. The label shall be applied in the vicinity of the electrical distribution panel or in another location that is readily accessible for inspection and shall be installed near the registration seal.

**13VAC5-91-240. Control of compliance assurance agency certification label.**

The labels shall be under direct control of the compliance assurance agency and shall be applied to buildings that comply fully with this chapter. The labels shall be applied by the compliance assurance agency or by the manufacturer when authorized to do so by the compliance assurance agency. The manufacturer shall place its order for labels with the compliance assurance agency. The manufacturer is not permitted to acquire labels from any other source. Each compliance assurance agency shall keep a list of the serial numbers of labels issued to each manufacturer's plant in such manner that a copy of the record can be submitted to the administrator upon request.

**13VAC5-91-245. Manufacturer's data plate.**

A. All of the following information shall be placed on a permanent manufacturer's data plate in the vicinity of the electrical distribution panel or in some other location that is readily accessible for inspection. The compliance assurance agency shall approve the form and location of the data plate and shall ensure that the data plate is complete:

1. Manufacturer's name and address.
2. Compliance assurance agency certification ~~label number~~, number(s).
3. Serial number of each module of the building.
4. Serial number of the Virginia registration ~~seal~~, seal(s).
5. Date of manufacture of the building.
6. List of codes and standards under which the building was evaluated and constructed and the type of construction and occupancy classification under those codes and standards.
7. Design live roof load, design floor live load, design wind speed, and design ground snow load.
8. Thermal resistance ("R") values.
9. Special conditions or limitations concerning the use of the building under the codes and standards applicable to the building; however, a list of such conditions or limitations that are furnished separately with the building shall satisfy this requirement.
10. Special instructions for handling, installation and erection of the building; however, a list of such instructions that are furnished separately with the building shall satisfy this requirement.
11. Designation of electrical service ratings, directions for water and drain connections and, where applicable, identification of permissible type of gas for appliances.

12. Name of manufacturer and model designation of major factory installed appliances.

B. The manufacturer shall maintain copies of the data plate and reports of inspection, tests and any corrective action taken for a minimum period of 10 years from the date of manufacture of the building.

**13VAC5-91-250. Industrialized buildings eligible for registration.**

Any industrialized building must meet all of the following requirements to be registered and eligible for a Virginia registration seal:

1. The design of the building has been found by a compliance assurance agency to be in full compliance with this chapter. Approved designs shall be evidenced by the stamp and date of approval on each design sheet by the compliance assurance agency.
2. The compliance assurance agency has conducted any necessary testing and evaluation of the building and its component parts.
3. The compliance assurance agency has provided the required inspections and other quality assurance follow-up services at the point of manufacture to assure the building complies with this chapter.
4. The building contains the appropriate evidence of such compliance through a label permanently affixed by the compliance assurance agency.

**13VAC5-91-260. Registration seal for industrialized buildings.**

A. Registered industrialized buildings shall be marked with approved registration seals issued by the SBCO. The seals shall be applied to a registered industrialized building intended for sale or use in Virginia prior to the shipment of the building from the place of manufacture. The seals shall be applied by the compliance assurance agency or by the manufacturer when authorized to do so by the compliance assurance agency.

B. Registered industrialized buildings shall bear one registration seal on each manufactured section or module, or, as an alternative, the registration seal for each manufactured section or module may be placed in one location in the completed building.

C. Closed panel construction shall require one registration seal for every 600 square feet, or part thereof, of floor area.

D. Approved registration seals shall be purchased by the compliance assurance agency from the SBCO in advance of use. The fee for each registration seal shall be \$75. Fees shall be submitted by checks made payable to "Treasurer of Virginia" or shall be submitted by electronic means. Payment for the seals must be received by the SBCO before the seals can be sent to the user. The compliance assurance agency shall maintain permanent records of seals purchased, including a record of any manufacturers receiving such seals.

E. To the extent practicable, the registration seal shall be installed so that it cannot be removed without destroying it. The seal shall be applied in the vicinity of the electrical distribution panel or in another location that is readily accessible for inspection and shall be installed near the certification label.

F. In accordance with § 36-85.1 of the Code of Virginia, any person or corporation having paid the fee for an approved registration seal that it will not use may, unless and except as otherwise specifically provided, within one year from the date of the payment of any such fee, apply to the administrator for a refund, in whole or in part, of the fee paid; provided that no payment shall be recovered unless the approved registration seal is returned unused and in good condition to the administrator. Additionally, as a requirement of this chapter, an administrative and processing fee of 25% of the amount of the refund due shall be deducted from the refund; however, such deduction shall not exceed \$250.

**13VAC5-91-270. Manufacturer's installation instructions and responsibilities of installers.**

A. The manufacturer of each industrialized building shall provide specifications or instructions, or both, with each building for handling, installing, or erecting the building. Such instructions may be included as part of the label from the compliance assurance agency or may be furnished separately by the manufacturer of the building. The manufacturer shall not be required to provide the foundation and anchoring equipment for the industrialized building.

B. Persons or firms installing or erecting registered industrialized buildings shall install or erect the building in accordance with the manufacturer's instructions.

C. Where the installation or erection of an industrialized building utilizes components that are to be concealed, the installer shall notify and obtain approval from the building official prior to concealment of such components unless the building official has agreed to an alternative method of verification.

Note: The Virginia Department of Professional and Occupational Regulation's Board for Contractors requires licenses for certain activities related to the industrialized building industry. For more information, contact the Board for Contractors at 9960 Mayland Drive, Suite 400, Richmond, VA 23233; (804) 367-8511.

**Documents Incorporated by Reference (13VAC5-91)**

International Code Council, 200 Massachusetts Avenue NW, Suite 250, Washington, DC 20001  
(<http://shop.iccsafe.org/codes.html>):

ICC International Plumbing Code - ~~2018~~ 2021 Edition

ICC International Mechanical Code - ~~2018~~ 2021 Edition

ICC International Building Code - ~~2018~~ 2021 Edition

ICC International Residential Code - ~~2018~~ 2021 Edition

ICC International Fuel Gas Code - ~~2018~~ 2021 Edition

ICC International Energy Conservation Code - ~~2018~~ 2021 Edition

ICC International Plumbing Code – ~~2021~~ 2024 Edition

ICC International Mechanical Code - ~~2021~~ 2024 Edition

ICC International Building Code - ~~2021~~ 2024 Edition

ICC International Residential Code - ~~2021~~ 2024 Edition

ICC International Fuel Gas Code - ~~2021~~ 2024 Edition

ICC International Energy Conservation Code - ~~2021~~ 2024 Edition

ICC/MBI 1200-2021 Standard for Off-site Construction: Planning, Design, Fabrication and Assembly

ICC/MBI 1205-2021 Standard for Off-site construction: Inspection and Regulatory Compliance

National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471

(<http://www.nfpa.org/>)

NFPA 70, National Electrical Code – ~~2017~~ 2020 Edition,

NFPA 70, National Electrical Code - ~~2020~~ 2023 Edition

~~ASTM Standard Number E541-10 – Standard Specification for Agencies Engaged in System Analysis and Compliance Assurance for Manufactured Building, American Society for Testing and Materials, 100 Barr Harbor Drive, West Conshohocken, PA 19428-2959 (<http://www.astm.org/>) (<http://www.astm.org/>):~~

ASTM Standard Number E541-10 - Standard Specification for Agencies Engaged in System Analysis and Compliance Assurance for Manufactured Building

## Tab 5

### IBSR Proposal Recommended by the General Stakeholder Workgroup as Consensus for Approval

<b>Proposal No.</b>	<b>Proposal ID</b>	<b>Description</b>	<b>Page</b>
164	IB260-24	Allows issuance of replacement seals for registered industrialized buildings when the original seals are defaced or destroyed and sufficient documentation exists to show that the structure was registered.	Tab 5 – Page 1



# IB260-24

VRC: 13VAC5-91-260.

**Proponents:** DHCD Staff, representing DHCD (sbco@dhcd.virginia.gov)

## 2021 Virginia Building and Fire Code Related Regulations

**Revise as follows:**

### 13VAC5-91-260. Registration seal for industrialized buildings

#### ~~13VAC5-91-260. Registration seal for industrialized buildings.~~

- A. Registered industrialized buildings shall be marked with approved registration seals issued by the SBCO. The seals shall be applied to a registered industrialized building intended for sale or use in Virginia prior to the shipment of the building from the place of manufacture. The seals shall be applied by the compliance assurance agency or by the manufacturer when authorized to do so by the compliance assurance agency.
- B. Registered industrialized buildings shall bear one registration seal on each manufactured section or module, or, as an alternative, the registration seal for each manufactured section or module may be placed in one location in the completed building.
- C. Closed panel construction shall require one registration seal for every 600 square feet, or part thereof, of floor area.
- D. Approved registration seals shall be purchased by the compliance assurance agency from the SBCO in advance of use. The fee for each registration seal shall be \$75. Fees shall be submitted by checks made payable to "Treasurer of Virginia" or shall be submitted by electronic means. Payment for the seals must be received by the SBCO before the seals can be sent to the user. The compliance assurance agency shall maintain permanent records of seals purchased, including a record of any manufacturers receiving such seals.
- E. To the extent practicable, the registration seal shall be installed so that it cannot be removed without destroying it. The seal shall be applied in the vicinity of the electrical distribution panel or in another location that is readily accessible for inspection and shall be installed near the certification label.
- F. In accordance with § 36-85.1 of the Code of Virginia, any person or corporation having paid the fee for an approved registration seal that it will not use may, unless and except as otherwise specifically provided, within one year from the date of the payment of any such fee, apply to the administrator for a refund, in whole or in part, of the fee paid; provided that no payment shall be recovered unless the approved registration seal is returned unused and in good condition to the administrator. Additionally, as a requirement of this chapter, an administrative and processing fee of 25% of the amount of the refund due shall be deducted from the refund; however, such deduction shall not exceed \$250.
- G. When requested by a compliance assurance agency, replacement seals may be issued by the SBCO for registered industrialized buildings provided that the previous seal was defaced or destroyed and that sufficient documentation exists to show that the structure was registered, including but not limited to, a data plate, full plans, owner's manual or other data deemed pertinent by the SBCO.

**Reason Statement:** Registration seals in existing registered industrialized buildings are sometimes damaged or destroyed during accidents or ordinary repairs. Allowing issuance of a replacement seal in situations where existing records or documentation are available will ensure that a building can be relabeled with a registration seal and easily identified as a registered building without requiring unnecessary hurdles and expenses that could result if the building were required to be treated as an unregistered industrialized building and registered again in order to receive a seal. The proposed change allows a path to obtain replacement seals for registered industrialized buildings, when needed, and reduces the burden of verifying and ensuring compliance, thus expediting the approval process.

**Cost Impact:** The code change proposal will decrease the cost. The proposed change is an option and applies to existing structures only.

Providing a path for the issuance of replacement registration seals might reduce the cost burden associated with the approval process of registered industrialized buildings that are missing the registration seals.

## Tab 6

### VADR Proposals Recommended by the General Stakeholder Workgroup as Consensus for Approval

<b>Proposal No.</b>	<b>Proposal ID</b>	<b>Description</b>	<b>Page</b>
165	AD40-24	Updates the ANSI and ASTM referenced standards with the most current editions.	Tab 6 – Page 1
166	AD75-24	Clarifies that multi-device inflatables and “bounce-parks” must have separate permit fees for each device connected to the inflatable park.	Tab 6 – Page 3



# AD40-24

VRC: 13VAC5-31-40.

**Proponents:** DHCD staff on behalf of the Amusement Device Technical Advisory Committee (ADTAC); (sbco@dhcd.virginia.gov)

## 2021 Virginia Building and Fire Code Related Regulations

Revise as follows:

### 13VAC5-31-40. Incorporated standards.

A. The following standards are hereby incorporated by reference for use as part of this chapter:

1. American National Standards Institute (ANSI) Standard No. ~~B77.1-2017~~ B77.1-2022 for the regulation of passenger tramways; and
2. American Society for Testing and Materials (ASTM) Standard Nos. ~~F747-21a~~, F747-24, ~~F770-21a~~, F770-24, ~~F1159-16e1~~, ~~F1193-18a~~, F1193-25, ~~F1957-99 (2017)~~, F1957-24, ~~F2007-18~~, F2007-24, ~~F2137-19~~, ~~F2291-21~~, F2291-25, ~~F2374-21a~~, F2374-24, ~~F2375-09 (2017)~~, F2375-25, ~~F2376-21a~~, F2376-24, ~~F2460-19~~, ~~F2461-20a~~, F2461-23, ~~F2959-21~~, F2959-25a, ~~F2960-16~~, F2960-23, ~~F2970-20~~, F2970-22, ~~F2974-20~~, F2974-24a and ~~F3054-18~~ F3054-23 for the regulation of amusement devices.

The standards referenced in subsection A of this section may be procured from:

ANSI 25 W 43rd Street New York, NY 10036	ASTM 100 Barr Harbor Dr. West Conshohocken, PA 19428-2959
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- B. The provisions of this chapter govern where they are in conflict with any provisions of the standards incorporated by reference in this chapter.
- C. The following requirements supplement the provisions of the ASTM standards incorporated by reference in this chapter:
  1. The operator of an amusement device shall be at least 16 years of age, except when the person is under the supervision of a parent or guardian and engaged in activities determined not to be hazardous by the Commissioner of the Virginia Department of Labor and Industry;
  2. The amusement device shall be attended by an operator at all times during operation except that (i) one operator is permitted to operate two or more amusement devices provided they are within the sight of the operator and operated by a common control panel or station and (ii) one operator is permitted to operate two small mechanical rides with separate controls provided the distance between controls is no more than 35 feet and the controls are equipped with a positive pressure switch; and
  3. The operator of an amusement device shall not be (i) under the influence of any drugs that may affect the operator's judgment or ability to assure the safety of the public or (ii) under the influence of alcohol.
- D. Where an amusement device was manufactured under previous editions of the standards incorporated by reference in this chapter, the previous editions shall apply to the extent that they are different from the current standards.

**Reason Statement:** The proposal is submitted by DHCD staff on behalf of the Amusement Device Technical Advisory Committee (ADTAC). Each time the Virginia Amusement Device Regulation (VADR) is updated, the ADTAC reviews the standards that are referenced in the existing VADR and determines if updates to the edition of the standards referenced in the VADR are appropriate. This proposal makes updates to the standards as recommended by the ADTAC at their August 28, 2025 meeting.

**Cost Impact:** The code change proposal will not increase or decrease the cost. The proposal does not increase or decrease the cost of construction.



# AD75-24

VRC: 13VAC5-31-75.

**Proponents:** Corian Carney, representing York County (corian.carney@yorkcounty.gov); Ryan Celestino, representing City of Newport News (celestino@nnva.gov); Amusement Device Technical Advisory Committee (ADTAC).

## 2021 Virginia Building and Fire Code Related Regulations

Revise as follows:

### 13VAC5-31-75. Local building department.

A. In accordance with §§ 36-98.3 and 36-105 of the Code of Virginia, the local building department shall be responsible for the enforcement of this chapter and may charge fees for such enforcement activity. The total amount charged for any one permit to operate an amusement device or devices or the renewal of such permit shall not exceed the following, except that when a private inspector is used by the owner or operator of the device, the fees shall be reduced by 75%:

1. \$55 for each small mechanical ride or inflatable amusement device covered by the permit;

~~Multi-device inflatables, or 'bounce parks' shall have separate fees for each device connected to the inflatable park.~~

2. \$75 for each circular ride, institutional trampoline, or flat-ride less than 20 feet in height covered by the permit, except concession go-karts.

Concession go-kart fees shall not exceed \$300 per track, for tracks with up to 20 karts. An additional fee of up to \$10 may be charged for each additional kart in excess of 20;

3. \$100 for each spectacular ride covered by the permit that cannot be inspected as a circular ride or flat-ride in subdivision 2 of this subsection due to complexity or height, except zip lines.

Zip line fees shall not exceed \$150 for each zip line. For the purpose of this section, each portion from launch point to landing point shall be considered a separate zip line and each zip line between a launch point and landing point shall also be considered a separate zip line;

4. \$200 for each coaster covered by the permit that exceeds 30 feet in height;
5. \$400 for each coaster covered by the permit that exceeds 60 feet in height; and
6. The local building department may charge an additional fee for permits and inspections of generators and associated wiring for amusement device events. Generators subject to these fees are those used exclusively with amusement devices and that are inspected by the local building department. The fee per event shall not exceed \$165 and shall not exceed the actual cost to perform the inspection or inspections.

**Exception:** Small portable generators serving only cord and plug connected equipment loads are not subject to the fee.

Notwithstanding the fee limitations established in this section, the local building department shall be permitted to increase the fees up to 50% when requested to perform weekend or after-hour inspections. The local building department shall also be permitted to increase fees up to 50% when a reinspection is required.

B. Notwithstanding the provisions of subsection A of this section, when an amusement device is constructed in whole or in part at a site for permanent operation at that site and is not intended to be disassembled and moved to another site, then the local building department may utilize permit and inspection fees established pursuant to the USBC to defray the cost of enforcement. This authorization does not apply to an amusement device that is only being reassembled, undergoing a major modification at a site or being moved to a site for operation.

- C. A permit application shall be made to the local building department at least five days before the date in which the applicant intends to operate an amusement device. The application shall include the name of the owner, operator or other person assuming responsibility for the device, a general description of the device including any serial or identification numbers available, the location of the property on which the device will be operated, and the length of time of operation. The permit application shall indicate whether a private inspector will be used. If a private inspector is not used, the applicant shall give reasonable notice when an inspection is sought and may stipulate the day such inspection is requested provided it is during the normal operating hours of the local building department. In addition to the information required on the permit application, the applicant shall provide proof of liability insurance of an amount not less than \$1 million per occurrence or proof of equivalent financial responsibility. The local building department shall be notified of any change in the liability insurance or financial responsibility during the period covered by the permit.
- D. Notwithstanding the provisions of subsection C of this section, a permit application is not required for a small mechanical ride or an inflatable amusement device that has a certificate of inspection issued by any local building department in this Commonwealth either a six-month period for small mechanical rides or within a one-year period for inflatable amusement devices prior to the dates the small mechanical ride or inflatable amusement device is to be used, regardless of whether the device has been disassembled and moved to a new site. In such cases, the local building department shall be notified and provided with the information required on a permit application as listed in subsection C of this section at least three days prior to operation. In addition, and notwithstanding the provisions of subsection A of this section, the local building department shall be permitted to charge a \$50 inspection fee per event to the person notifying the local building department of an event where an inflatable amusement device is operating if the local building department chooses to inspect any or all of the inflatable amusement devices operating at that event. An inspection report shall be provided to the person notifying the local building department of the event if such an inspection is conducted.
- E. Local building department personnel shall examine the permit application within five days and issue the permit if all requirements are met. A certificate of inspection for each amusement device shall be issued when the device has been found to comply with this chapter by a private inspector or by an inspector from the local building department. It shall be the responsibility of the local building department to verify that the private inspector possesses a valid certificate of competence as an amusement device inspector from the Virginia Board of Housing and Community Development. In addition, local building department personnel shall be responsible for assuring that the certificate of inspection is posted or affixed on or in the vicinity of the device in a location visible to the public. Local building department personnel shall post or affix such certificates or permit the certificates to be posted or affixed by the private inspector. Permits shall indicate the length of time the device or devices will be operated at the site, clearly identify the device or devices to which it applies and the date of expiration of the permit. Permits shall not be valid for longer than one year, except that permits for small mechanical rides shall not be valid for longer than six months.
- F. In addition to obtaining a certificate of inspection in conjunction with a permit application for amusement devices permanently fixed to a site, a new certificate of inspection shall also be obtained prior to the operation of an amusement device following a major modification, prior to each seasonal operation of a device, at least once during the operating season and prior to resuming the operation of a device following an order from a local building department to cease operation. This requirement shall not apply to small mechanical rides meeting the conditions outlined in subsection D of this section.
- G. For amusement devices manufactured prior to 1978, the owner or operator shall have the information required by 10.1 through 10.6 of ASTM F1193 available at the time of inspection. In addition, the operator of any amusement device shall be responsible for obtaining all manufacturer's notifications, service bulletins and safety alerts issued pursuant to ASTM F770 and the operator shall comply with all recommendations and requirements set out in those documents. A copy of all such documents shall be made available during an inspection.
- H. In the enforcement of this chapter, local building department personnel shall have authority to conduct inspections at any time an amusement device would normally be open for operation or at any other time if permission is granted by the owner or operator, to issue an order to temporarily cease operation of an amusement device upon the determination that the device may be unsafe or may otherwise endanger the public and to accept and approve or deny requests for modifications of the rules of this chapter in accordance with the modification provisions of the USBC.

- I. In accordance with subdivision 7 of § 36-137 of the Code of Virginia, the local building department shall collect a 2.0% levy of fees charged for permits under this chapter and transmit it quarterly to DHCD to support training programs of the Virginia Building Code Academy. Localities that maintain individual or regional training academies accredited by DHCD shall retain such levy.
- J. In accordance with § 36-98.3 of the Code of Virginia and 13VAC5-31-10 B, the procedures for violations of this chapter shall be as prescribed in the USBC.
- K. In accordance with § 36-98.1 of the Code of Virginia, the Virginia Department of General Services (DGS) shall function as the local building department for the application of this chapter to amusement devices located on state-owned property. In accordance with § 36-98.2 and 36-114 of the Code of Virginia, appeals of the application of this chapter by the DGS shall be made directly to the State Building Code Technical Review Board. Further, as a condition of this chapter, such appeals shall be filed within 14 calendar days after receipt of the decision of DGS.

**Reason Statement:** This change is aimed at eliminating confusion between applicants and building departments for the purpose of fee schedules when large inflatables are used that encompass multiple devices.

**Cost Impact:** The code change proposal will not increase or decrease the cost This change is only a clarification to prevent future confusion.



## Tab 7

### VCS Proposals Recommended by the General Stakeholder Workgroup as Consensus for Approval

<b>Proposal No.</b>	<b>Proposal ID</b>	<b>Description</b>	<b>Page</b>
167	CS10-24	Editorial revision to reference the correct Virginia Administrative Code section for SFPC (13-VAC5-52).	Tab 7 – Page 1
168	CS51-24	Increases the minimum number of continuing education hours required for all certificate holders (every two years) from 16 hours to 24 hours.	Tab 7 – Page 3



# CS10-24

VRC: 13VAC5-21-10.

**Proponents:** DHCD Staff, representing DHCD (sbco@dhcd.virginia.gov)

## 2021 Virginia Building and Fire Code Related Regulations

**Revise as follows:**

### 13VAC5-21-10. Definitions.

A. The following words and terms when used in this chapter shall have the following meanings unless the context clearly indicates otherwise:

“Applicant” means a person seeking a certificate.

“Active certificate” means a certificate that is not revoked, suspended, or inactive.

“BCAAC” means the Building Code Academy Advisory Committee appointed pursuant to subdivision 7 of § 36-137 of the Code of Virginia.

“BHCD” means the Virginia Board of Housing and Community Development.

“Certificate” means a certificate of competence issued pursuant to subdivision 6 of § 36-137 of the Code of Virginia concerning the content, application, and intent of specified subject areas of the building and fire prevention regulations promulgated by the BHCD and issued to present or prospective personnel of local governments and to any other persons seeking to become qualified to perform inspections pursuant to Chapter 6 (§ 36-97 et seq.) of Title 36 of the Code of Virginia, Chapter 9 (§ 27-94 et seq.) of Title 27 of the Code of Virginia, and any regulations adopted thereunder, who have completed training programs or in other ways demonstrated adequate knowledge.

“Certificate holder” means a person to whom a certificate has been issued.

“Code academy” means the Virginia Building Code Academy established under subdivision 14 of § 36-139 of the Code of Virginia or individual or regional training academies accredited by the Department pursuant to subdivision 7 of § 36-137 of the Code of Virginia.

“Department” means the Virginia Department of Housing and Community Development.

“Inactive certificate” means a certificate where the certificate holder has not attended the periodic training designated by the Department or has not met the continuing education requirements.

“Provisional certificate” means a temporary certificate issued in accordance with Section 13VAC5-21-51 (C).

“SFPC” means the Virginia Statewide Fire Prevention Code (~~13VAC5-51~~ 13-VAC5-52).

“State Review Board” means the Virginia State Building Code Technical Review Board established under § 36-108 of the Code of Virginia.

“USBC” means the Virginia Uniform Statewide Building Code (13VAC5-63).

“VADR” means the Virginia Amusement Device Regulations (13VAC5-31).

B. Words and terms used in this chapter that are defined in the USBC, VADR, or SFPC and that are not defined in this chapter shall have the meaning ascribed to them in those regulations unless the context clearly indicates otherwise.

**Reason Statement:** This change is editorial. The VAC section referenced for the SFPC is being updated.

**Cost Impact:** The code change proposal will not increase or decrease the cost This change is editorial and will not increase or decrease cost.



# CS51-24

## VRC: Virginia Certification Standards

\*

**Proponents:** DHCD staff on behalf of the Building Code Academy Advisory Committee (BCAAC); (sbco@dhcd.virginia.gov)

## 2021 Virginia Building and Fire Code Related Regulations

### Revise as follows:

#### Virginia Certification Standards

\*

#### 13VAC5-21-51. Issuance and maintenance of certificates.

- A. Certificates will be issued when an applicant has complied with the current applicable requirements of this chapter. Certificates will be classified as active or inactive. An inactive certificate will be considered out of compliance and a noncompliance notice will be issued to the certificate holder. In such cases, notification shall also be provided to the locality or company employing the certificate holder. Exceptions to the issuance of a noncompliance notice may be considered where there is a separation from employment by medical or military leave for 12 consecutive months or more during the continuing education period. An inactive certificate may be reinstated as an active certificate after completing makeup training courses designated by the Department.
- B. All certificates issued since June 1978 are valid unless revoked or suspended, except that provisional certificates shall remain valid as set out under subsection C of this section.
- C. A provisional certificate may be issued to (i) a person who has been directed by the Department to obtain a certificate; (ii) an applicant requesting a certificate under the alternative training provisions of 13VAC5-21-45; (iii) an applicant when the required training has not been provided or offered; (iv) an inactive certificate holder when the issuance of a provisional certificate is determined to be warranted by the Department; or (v) a person who, due to extenuating and warranting circumstances either on behalf of the code academy or beyond the person's control, has not fully complied with the eligibility requirements of training and competency established herein.

Such a provisional certificate may be issued when the applicant or person has satisfactorily completed the code academy core module and completed any training through the code academy or through other providers determined to warrant the issuance of the provisional certificate.

The provisional certificate is valid for a period of one year after the date of issuance and shall only be issued once to any individual, except that a provisional certificate shall remain valid when the required training has not been provided or offered.

- D. All certificate holders shall attend periodic maintenance training as designated by the Department and shall attend 16 24 hours of continuing education every two years as approved by the Department. If a certificate holder possesses more than one certificate, the 16 24 hours shall satisfy the continuing education requirement for all certificates.

**Note:** The number of CE hours required by the VCS at the start of a CE reporting period is applicable through the end of that CE reporting period. When the number of CE hours required by this section is changed, the new requirement is applicable to CE reporting periods beginning after the effective date of the updated VCS.

**Reason Statement:** This proposal is being submitted by DHCD staff on behalf of the Building Code Academy Advisory Committee (BCAAC).

**Change Summary:** The proposal increases the minimum number of continuing education hours required for all certificate holders (every two years) from 16 hours, to 24 hours. A note is also proposed to be added to the VCS to clarify that the increased CE hours would not impact CE periods that start before the new requirement is effective.

#### Background Information and Reason:

The current DHCD certification requirement is **16 hours every two years** (or **8 hours per year** for comparison purposes), and this requirement has remained unchanged since 2008 when the DHCD CE policy was first established. The current 16-hour requirement applies to all certificate holders regardless of the number or type of certification(s) they hold. In practice, most Virginia code enforcement professionals already engage in more than 16 hours of professional development over a two-year period. By raising the standard to 24 hours, we align the formal requirement with the professional development practices already taking place in many Virginia localities. This adjustment also ensures that our requirements are consistent with other states with statewide inspection certifications, and other similar job roles, many of which set much higher continuing education benchmarks to maintain the skills and knowledge of their certificate holders.

**CE requirements for other US States with statewide inspector certifications, ICC CE requirements, and other Virginia requirements for life-safety related roles:**

- **California**
  - **15 hours per year** - 45 hours of continuing education every three years for all inspectors, plan examiners and building officials, with 8 of those hours relating to accessibility requirements
- **Connecticut**
  - **30 hours per year** for Building Official, Assistant Building Official, and Plan Reviewer
  - **20 hours per year** for Residential Building Inspector
  - **10 hours per year** for Construction Inspector, Electrical Inspector, HVAC Inspector, Mechanical Inspector, and Plumbing Inspector
- **Florida**
  - **7 hours per year** with specific topic requirements
    - 14 hours every two years – a minimum of two hours of energy conservation, one hour in the area of accessibility, two hours in the area of Florida laws and rules (other than accessibility and ethics) and one hour in the area of ethics.
- **New York**
  - **6 hours per year for "Building Safety Inspectors"**, with at least 3 of these hours from programs approved by the NY dept. of State
  - **24 hours per year for "Code Enforcement Officials"**, with at least 12 of these hours from programs approved by the NY dept. of State. Of these 12 approved hours, 3 hours of Code enforcement and administration, 3 hours of Uniform Fire Prevention and Building Code, and 3 hours of Energy Conservation
- **Massachusetts (3-year cycle)**
  - **15 hours per year for "Building Code Enforcement Officials" (Inspector of buildings, building commissioner, and local inspector)**
- **ICC CE requirements**
  - Requirements are based on number of ICC Certs held. 3 year period. ICC also requires a certain percentage of hours to come from ICC or an ICC preferred provider.
    - 1 Cert = **5 hours per year** (15 hours every 3 years)
    - 2-5 certs – **10 hours per year** (30 hours every 3 years)
    - 6-10 certs = **15 hours per year** (45 hours every 3 years)
    - 11+ = **20 hours per year** (60 hours every 3 years)
    - MCP and CBO = **20 hours per year** (60 hours every 3 years)
- **Virginia State Police**
  - **20 hours per year** (40 hours every 2 years)
- **Virginia EMS Professionals**
  - Paramedic – **30 hours per year** (60 hours every 2 years)
  - EMT – **20 hours per year** (40 hours every 2 years)
  - Advanced EMT – **25 hours per year** (50 hours every 2 years)

To ensure that our Virginia enforcement staff remain knowledgeable, skilled, and responsive to emerging practices and technologies, we propose increasing the CE requirement to **24 hours every two years**, which represents an increase of 8 hours for the 2-year period (or 4 additional hours per year).

This change is both reasonable and attainable. The broad range of activities that qualify as CE already provides staff with significant

flexibility to meet the requirement. Eligible activities include nearly any type of professional training, workshop, conference training session, or documented meeting that contributes to employee growth and job performance. Furthermore, many of these opportunities are available at **little to no cost**, such as in-house training, webinars, online self-paced training, and regularly scheduled departmental and organization meetings. Additionally, there is no limit to the number of hours that can be earned from online self-paced training – an extremely convenient method to earn CE hours. There is also no requirement for a certain number of hours to come from “preferred providers” and no requirement that any percentage or number of hours be earned through in-person events. As a result, staff can easily achieve the increased requirement without incurring additional financial burden. Refer to the DHCD CE Policy to view the extensive list of acceptable events: (See page 2 – “Acceptable programs, Courses, and Activities”)

<https://www.dhcd.virginia.gov/sites/default/files/Docx/jack-proctor/continuing-education-policy.pdf>

Also, many certificate holders are already earning (or required to earn) CE hours to maintain other certifications, including 1031 certifications and ICC certifications. DHCD accepts these same hours used towards other CE requirements, allowing certificate holders to reuse the same CEs for their DHCD Continuing Education.

Ultimately, this change is an investment in the long-term success of Virginia code enforcement professionals, resulting in even safer and more code compliant construction throughout Virginia.

**Implementation Date:** Approval of this change would not impact CE reporting periods that are already underway and will ensure a lengthy notification period to ensure certificate holders are aware of and well prepared for the change. The increased CE hour requirement would be applicable starting with the next two-year CE period after the adoption of the 2024 codes. For example, if the 2024 VCS were approved and effective in October 2027, the new requirement would be applicable starting with the May 1, 2030 CE period (events completed between May 1, 2028 to April 30, 2030) for certificate holders with last names beginning with A-M, and the May 1, 2031 CE period (events completed between May 1, 2029 to April 30, 2031) for certificate holders with last names beginning with N-Z.

**Cost Impact:** The code change proposal will not increase or decrease the cost This code change proposal will not impact the cost of construction; however, the increase in required training hours might result in increased costs to code enforcement personnel or their employers.



**Continuing Education Policy**  
**Applicable to BHCD Certified Code Enforcement Personnel**  
**Effective May 01, 2008**



**Updated: October 1, 2012**

**Overview:**

The Jack A. Proctor Virginia Building Code Academy (JPVBCA) currently provides a comprehensive basic or advanced functional level of training to the state's code enforcement personnel, generally in the first 12 to 18 months of their position hire or appointment date. As the field of code enforcement increases its professional capacity, so does the need for participation in a higher competency level of training, professional career development opportunities, and ongoing skill development activities. The establishment of continuing education requirements and the receipt of attendance credit encourage and support professional advancement, and thus enhance the proficiency capability of the individual and the professional capacity of both the code enforcement community and the locality.

**Regulatory Requirement and Guideline:**

Effective May 01, 2008, the Department of Housing and Community Development (DHCD or Department) shall require continuing education as a component of maintaining compliance with the state regulations relative to certain certifications granted by the Board of Housing and Community Development (BHCD). All building officials, property maintenance officials, and technical assistants employed by a jurisdiction to enforce the Virginia Uniform Statewide Building Code (USBC) as well as local building department personnel certified to enforce the Virginia Amusement Device Regulations (VADR) shall obtain 16 hours of continuing education every two years in addition to the mandatory and/or periodic training required for certificate issuance and maintenance. The 16 hour requirement shall be prompted at the issuance of the first certificate and shall be applicable regardless of the number of BHCD certificates held by the individual. Credit for acceptable continuing education programs and courses shall be granted on an hour received for an hour attended credit basis. A maximum of eight credit hours may be accrued per individual course or activity within a two year requirement period. The retroactive or advance accumulation of credit hours shall not be permitted or accepted. Compliance records of individual certificate holders shall be maintained by the Department through the JPVBCA.

**Compliance:**

Compliance with the continuing education requirements, including the assurance of program content and credit hours, shall be the responsibility of the individual certificate holder. It is highly recommended that the local building department or locality monitor the compliance of their certified code enforcement personnel. The JPVBCA shall maintain compliance records and provide data reports of individual certificate holders regarding compliance with continuing education requirements upon request and as necessary. Failure to comply with the continuing education requirements or to accumulate the required credit hours within the continuing education period shall result in an inactive certification status of the certificate holder.

**Documentation:**

The certificate holder shall be required to submit proof of compliance with the continuing education requirements in a format determined and specified by the Department JPVBCA and within 30 days of the completion of the two year continuing education period. A single submission documenting only the minimum required 16 credit hours shall be submitted to the Department once per every two year requirement period. The certificate holder shall be required to submit record of the satisfactorily completed continuing education requirements; including the associated program provider, program content, and credit hours on a prescribed application form issued by the Department and/or by electronic entry as On-line Registration System is developed and is permissible. The certificate holder shall be required to submit the appropriate substantiating documentation, including verification of program content, confirmation of attendance, certificate of completion, and/or other evidence of compliance, and to attach all associated documentation to the application form or electronic entry. All records shall be subject to further review by the Department and potential denial should program content and/or designated credit hours not meet the continuing education requirements.

**Verification:**

A periodic audit of documentation and programs shall be conducted by the Department JPVBCA based upon a random selection and schedule. A certificate holder may be required to substantiate their declared continuing education with additional training documentation that affirm and support the program, course, or activity as requested by the Department, including education provider information, course syllabus, attendance history, and participation certificates. Therefore, it shall be the responsibility of the certificate holder to retain and maintain all necessary documentation relative to the continuing education program or course for which approval and credit is sought.

**Tracking:**

Individual compliance with the continuing education requirements shall be documented and tracked in the Department On-line Registration System electronic database, which is available for viewing through each user profile. It is highly recommended that the local building department or locality track the compliance of their certified code enforcement personnel.

**Implementation Schedule:**

The 16 hour requirement shall be prompted at the issuance of the first certificate and shall be applicable regardless of the number of BHCD certificates held by the individual. All documentation shall be due to the Department JPVBCA office in accordance with the following schedule.

Individuals having last names beginning with A through M are due 16 hours, collected over the 24 month period May 1 – April 30 due no later than 30 days after May 01 of the even year;

Individuals having last names beginning with N through Z – are due 16 hours, collected over the 24 month period May 1 – April 30, no later than 30 days after May 01 of the odd year.

In the case of an individual receiving their initial certification during the continuing education cycle, the following exception shall apply toward the credit hour requirement. Based on the date of initial certification and the months remaining in the continuing education period, and in accordance with the above schedules, the following credit hours shall be obtained in the initial continuing education period.

Individuals having 12 months or less remaining in the continuing education period – up to 8 credit hours;

Individuals having 13 months or more remaining in the continuing education period – up to 16 credit hours.

**Acceptable Programs, Courses, and Activities:**

Acceptable continuing education shall constitute professional development for a certificate holder, advancing or enhancing knowledge, skills, and abilities in the applicable field(s) of certification or position and relative to the code, code enforcement, code related issues, or function of position. Acceptable program and course content may relate to, although not be limited to, architectural design, engineering systems, building construction, technical trades, fire protection, fire prevention, property maintenance, construction management, code enforcement, and public administration. The pre-approval of programs and specific courses not categorized or included herein is not offered by the Department. Any programs, courses, and activities not categorized or listed are subject to review and approval, including random audit, by the Department. The certificate holder must comply with the application process as defined by the Department. Program attendees must adhere to the program procedures required by the education provider to document attendance and receive credit and additionally shall provide such documentation to the Department. The following code and code enforcement related programs, courses, and activities shall be accepted toward the obtainment of the continuing education requirements on an hour received for an hour attended credit basis.

DHCD JPVBCA courses not required for certification;

Prince William County (PWC) Code Academy courses not required for certification;

Fairfax County (FFX) Code Academy courses not required for certification;

Jurisdictional in-service educational events and training programs;

State, national, and federal training programs;

State and governmental agency provided or sponsored training programs;

State and national code organization conferences and seminars;

State and national code development committees and hearings;

State and national code related review and advisory committee, commission, and board service;

State and national association or organization sponsored educational events and training programs;

State and national professional association or organization leadership and/or active attending membership;

State and national professional society and trade organization educational events and training programs;

National standards developing organization training programs;

Construction product, product manufacturer or distributor, or service provider training programs;

Industry site or field installation training programs;

Accredited academic institution programs and courses, i.e. college, university, and trade, technical, and vocational schools;

Web-based, on-line, self-study computer training programs;

Platform instruction;

Publication of articles.

**Non-acceptable Programs, Courses, and Activities:**

The following programs, courses, and activities shall not be accepted toward the obtainment of the continuing education requirements. Any programs, courses, and activities not relative to the code, code enforcement, and code related issues shall not be considered acceptable.

DHCD JPVBCA courses required for issuance of certification, including core, advanced, and applicable technical modules;

Prince William County (PWC) Code Academy courses required for certification;

Fairfax County (FFX) Code Academy courses required for certification;

DHCD JPVBCA code update training courses required for maintenance of certification;

Community service and volunteer or compensated fieldwork.

**Credit Hours:**

Credit hours shall be granted to the accepted programs, courses, and activities based upon one credit hour for one contact hour, and shall not exceed eight credit hours per individual course or activity per each two year requirement period. The retroactive or advance accumulation of credit hours shall not be permitted or accepted.



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**General Stakeholder Workgroup Meeting  
First Meeting Summary**

**Date: July 29, 2025**

**Location: Virginia Housing Center**

**Time: 9:00 AM**

**Attendees:**

**VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** - Deputy Director, Division of Building and Fire Regulation
- **Florin Moldovan** – Code and Regulation Specialist, State Building Codes Office
- **Travis Luter** – Code and Regulation Specialist, State Building Codes Office
- **Paul Messplay** – Code and Regulation Specialist, State Building Codes Office
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office
- **Rajan Engh** – Training and Development Specialist, Virginia Building Code Academy

**Stakeholders:**

- **Andrew Clark** – Home Builders Association of Virginia (HBAV)
- **Andrew Milliken** – Stafford County
- **Corian Carney** – Independent Alliance of the Electrical Industry (IAEI), VA Chapter
- **David Beahm** – Warren County
- **David Sharp** – Fairfax County
- **DeAnthony “DA” Pierce** – Virginia Building and Code Officials Association (VBCOA)
- **Dennis Hart** – Fairfax County
- **Gerry O’Connor** – Eaton
- **Jason Vandever** – North American Insulation Manufacturers Association (NAIMA)
- **Joseph “Tread” Willis** – IAEI VA Chapter, Prince William County
- **Kyle Kratzer** – Fairfax County, VBCOA
- **Matt Mertz** – Fairfax County
- **Mark Price** – City of Martinsville
- **Michelle Dickson** – City of Richmond
- **Mike O’Connor** – Virginia Petroleum and Convenience Marketers Association (VPCMA), Virginia Propane Gas Association (VAPGA)
- **Nicholas Bowles** – Nottoway County
- **Paul Keller** – Turnkey Porch Enclosures
- **Perry Weller** – City of Staunton
- **Peter Broadbent** – Broadband Association of Virginia (VCTA)
- **Richard Gordon** – Hanover County
- **Ron Clements** – Chesterfield County

- **Russel Furr** – City of Alexandria
- **Sandra Escorcia** – City of Richmond
- **Sean Farrell** – Prince William County
- **Steve Shapiro** – Apartment & Office Building Association of Metropolitan Washington (AOBA), Virginia Apartment and Management Association (VAMA)
- **Susan Harold** – City of Richmond

### **Administrative Proposals (USBC & SFPC)**

1. **B105.1-24** – Ron Clements

- a. Ron C – Provides overview of proposal.
  - i. Sean F – No objection to proposal. Did staff research when and how this language arrived in the code?
    - 1. Florin M – The proposal stands on its own merits and doesn’t have any conflicts.
  - ii. David B – Has opposition. Building Official (BO) can be removed for cause, which was put in place to ensure there was a way to remove the BO if there is any issue. You can have an appointment for a 1-year time frame, and then that could be continuous. Right now, the code makes it clear that when you appoint the building official, the “Permanent” nature is so that they are removed from political actions and desires.
  - iii. Andrew M – VFSB supports this.
  - iv. Ron C – VBCOA Admin committee supports.
  - v. David B – Clarifies he was speaking on behalf of himself.
  - vi. Non-consensus.

2. **B108.2-24** – Dennis Hart

- a. Dennis H – Provides overview of the proposal.
  - i. Richard G – In support of change. Localities with a large R-5 housing stock will need to prepare for an increase in permit volume. Hanover will go from 800 to about 3,000 permits per year.
    - 1. Kyle K – Permit increase is temporary, right? Switching over from non-flammable to flammable, there wouldn’t be a refrigerant classification change, and therefore, it would still be exempt. Is that correct?
      - a. Dennis H – It would, yes.
      - b. Kyle K – So it’s just that initial changeover that will have the increase.
  - ii. Consensus for approval.

3. **B115.2-24** – Ron C (Note: This proposal was heard later in the agenda)

- a. David S – Provides overview of the proposal.
  - i. Ron - By adding “responsible party” to the first sentence, you no longer need all the stricken language.
    - 1. Sean F – No position. Notes that moving toward permissive language does allow for subjective enforcement of the code. One locality may choose to do something while another locality decides to act differently. The first sentence says, “responsible party or permit holder,” – can I do both?
      - a. Ron C – Yes. And we could accept that as a friendly amendment.
    - ii. Jeff B – Based on history, when that question has come up specifically with the Virginia regulations, when we’ve asked the Virginia Code Commission, they would say if it says “or” that also means “and” when there are just two options and not a long list.
- b. Florin M – Asks for clarification on the language to be used - “to the responsible party, or permit holder, or both...”
  - i. Sean F – Yes.
- c. David S – Wants to get to the person responsible for code compliance.
- d. David B – In support.
- e. Andrew C – Not opposed. “Responsible party”... you could rope in any number of people involved in that project. Is there a way to narrow it down to somebody?
  - i. David S – That’s a reference back to 112.1, which states that any person performing work covered by the code has the responsibility to secure the results intended by the code.
  - ii. Andrew C – In that case, someone working on behalf of a bankrupt or out-of-business contractor, or just anybody working on that job, could be considered the responsible party.
  - iii. David S – The intent is not to go after an employee working for a contractor or company. When you have a legal entity, that entity has the status of personhood in the eyes of the law in most instances. It’s not to get at the individual laborer who is hired and working for that contractor.
- f. Jeff B – Asks for any further comments.
- g. Consensus for Approval as Modified.

4. **B115.2(2)-24** – Ron Clements

- a. Ron C – Provides overview of the proposal.
  - i. Steve S – How do you prove receipt on the other end of it?
    - 1. Ron C – It’s already in the SFPC and is already allowed by the Maintenance code.
    - 2. Steve – No objection to it.
  - ii. David B – Representing self. Agrees with the change. Electronic is the way things are going. If it’s an option, it’s an option.

- iii. Sean F – Representing self. Is there a reason we repeated, “the intended recipient”? Recommends a friendly Amendment: In the added text, delete “To the permit holder or responsible party,” so that it just reads, “...by electronic service.”

- 1. Ron C – Supports the floor amendment.

- b. Consensus for Approval as Modified

5. **B118.4-24** – Ron Clements

- a. Ron – Provides overview of the proposal.
- b. Consensus for approval.

6. **B119.5-24** – Ron Clements

- a. Ron C – Provides overview of the proposal.
  - i. David B – Supports.
  - ii. Steve S – Does this have application to the SFPC?
    - 1. Ron C – I initially did not put the proposal in for the SFPC because I saw the homeowner as the main issue. Andrew M reached out to me about it.
    - 2. Andrew M. – Yes, interested in including this in the SFPC. If there is consensus, we suggest moving forward with that consensus, and we will submit a separate code change for the SFPC.
      - a. Ron C – Unless that would be considered a friendly amendment, which I would accept.
      - b. Andrew M – If there’s consensus for that, too, there’s no objection to that.
      - c. Jeff B – This might be something we would want to bring to the SFPC sub-workgroup, so it might be best to do that as a separate proposal and run it through the SFPC sub-workgroup and then bring it back to the next General Stakeholder Work Group.
- b. Consensus for Approval – Companion proposal to SFPC may be forthcoming.

7. **PM105.2-24** – Matt Mertz

- a. Matt M – Provides overview of the proposal.
  - i. Tread W – Recommends mirroring Ron’s language from proposal B115.2(2)
  - ii. Matt M – This language in the proposal is from the SFPC.
- b. Jeff B – Any objections to this proposal?
  - i. Michelle D – Asks if we can make all three consistent by modifying the first one?

- ii. Jeff B – That might be something that could be decided today and then developed later.
- iii. David B – Ron’s language would probably be better.
- iv. Ron C – The term “electronic service” is the proper legal technology. I don’t know how to validate a mailbox. Fine with consistency between VPMC and SFPC since they are maintenance codes. Wants to leave the building code alone—no objection correlating with the SFPC.
- c. Jeff B – Asks if Matt wants to move forward as-is?
  - i. Matt M – As far as the electronic mailbox being changed to electronic service, that’s fine.
  - ii. Sean F – This language was predicated initially on serving as it pertains to state law - In person to the responsible party, another at the premise, or post at the premise. Is your language consistent with the state law that enables this?
  - iii. Matt M – Probably not taking too big a leap here since it already aligns with the SFPC and, with Ron’s language, would align even more.
- d. Florin M – Asks for clarification on the change.
  - i. Matt M – Where it starts by saying, “Transmitting to a valid electronic mailbox,” that would be shortened to, “...or by electronic service.”
- e. Steve S – Agrees with Ron. Leaving building code as it is and allowing this to mirror the SFPC.
- f. Sean F – The additional sentence there: “Such procedure shall be deemed the equivalent of personal notice.” Is that redundant?
  - i. Matt M – If we take that out, if we’re trying to align codes, that would be some additional work for the fire code.
- g. Sean F – Opposition.
  - i. Florin M – Asks if Sean will work with the proponent in the interest of consensus.
  - ii. Sean F – Yes.
- h. David B – Asks if fire services should look at it also to ensure consistency.
- i. Sean F – Did we run this change through the VBCOA Property Maintenance Committee?
  - i. Matt M – When the VPMC met, this was not available.
  - ii. Perry W – This particular language being proposed has been in the SFPC since at least the 2012 edition of the code.
- j. Carried Over. The proponent will work with those who have comments.

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### SFPC Proposals

#### 1. **FP202-24** – Gerry Maiatico

- a. Proponent is absent. Jeff B asks if anyone from VFPA can present.

- i. Andrew M – Provides overview.
- ii. David B – Supports
- b. Consensus for Approval

2. **FP601.2-24** – Gerry Maiatico

- a. Andrew M – Provides overview of the proposal.
  - i. Jeff B – All of these SFPC proposals have been to the SFPC sub-workgroup, so they have been discussed.
    - 1. Steve S – I was at the SFPC sub-workgroup meeting, and I don't have anything to add.
  - ii. Mike O' – Representing the Propane Association. What's the practical application of the first underlined portion? When, in a fire code official's opinion, there is actual or potential danger, what action is this authorizing them to take?
    - 1. Andrew M – If there's an imminent risk of a fire occurring from a piece of equipment, or the power supply, or an electrical component that wouldn't otherwise be able to be controlled. This can now be controlled through the utilities being provided to the structure.
    - 2. Mike O' – Could the building appliances, equipment, or utilities include the propane tank?
    - 3. Andrew M – My guess would be yes.
    - 4. Mike O' – I don't recall this being brought up in the earlier committee meeting. I would need to populate this before proceeding, and I would like to defer if possible.
    - 5. Jeff B – The proponent is not here; however, if there is opposition, I would encourage meeting with the proponent to talk through that.
    - 6. Mike O' – I didn't say, "Opposition." I need to populate this because of the statement that it would impact a propane tank.
    - 7. Jeff B – If we must come up with a decision today and we have people who aren't ready to support it, I would be hesitant to call it a consensus.
  - iii. Dennis H – Not in favor of, "...when in the fire code official's opinion." It is not great code language, and it leaves a lot up to the determination of that fire official. When would this take effect?
    - 1. David B – That could be solved by taking it back to the first sentence of the original language, "Deemed unsafe or hazardous." As opposed to, "in the opinion [of the Fire Official]."
  - iv. Jeff B – Sounds like an opportunity for a cleanup to get us closer to consensus,
  - v. Peter B – Representing the VCTA. The VCTA shares the propane industry's concern regarding internet, cable, or alarm system components. Would like to be a part of any subsequent discussion.

vi. Jeff B – We will make sure the proponent is briefed, and we will consider this proposal carried over.

b. Carried Over

3. **FP3101.1-24 and B3102.1-24** – Ron Clements (Heard together at the end of the agenda)

- a. Ron C – Provides overview of the proposals. Andrew M brought this to the fire services board, and they have provided their comments. I have not had the opportunity to go through them yet. Asks for comments or concerns from the group? We are on the path to table this so I can address all of Andrew’s comments.
- b. Jeff B – Opens the floor for discussion. Appreciates Ron taking on the effort to address this issue.
- c. Ron C – For the building code, you’re going to the IFC, not the SFPC. It’s the building code that regulates the construction of the tent. The fire prevention code is for operations and maintenance. Chapter 1 of the SFPC says that anything that is construction-related is invalid, but in the SFPC, there are numerous construction provisions. A large part of this exercise was to go through and delete all of the invalid construction provisions, which the fire official can’t enforce under the SFPC. Nothing prohibits the building official and fire official from working out an arrangement where the building official wants the fire official, who is getting operations and maintenance permits, also to handle the building code side.
- d. Jeff B – Any other discussion, questions, or comments? We will mark those as carried over if that’s okay with you.
- e. Ron – I guess what I’m hearing is that if Andrew and I work out his comments, then everyone else is good.
- f. Carried Over

4. **FP4106.1.3-24** – Gerry Maiatico

- a. Andrew M – Provides overview of the proposal.
- b. Jeff B – Some of these mobile vehicles become permanent, and the proponent is attempting to draw the line of when it becomes permanent.
  - i. Florin M – For clarity, there is an exception in the last portion of the sentence, but there is a cdpVA formatting issue.
    - 1. Mike O’ – Representing the Propane Association. What is the need for the exception?
      - a. Florin M – The intent is to exclude those facilities connected to a utility, but that are done so in accordance with the building code. These mobile food preparation vehicles are not covered by the Uniform Statewide Building Code (USBC), but the SFPC covers them. The question arises, “What happens if I do connect this structure that is not regulated by the USBC but is connected to a building that the USBC

regulates?” The USBC would require a building permit application, inspections, and approvals for that portion of the work. The primary concern was always that there was no clarity on who regulates what. The portion of the connection between the unit and any utilities or building service would be regulated under the USBC. Everything preceding the exception would not apply because it has already been permitted, inspected, and approved.

- ii. Sean F – Representing himself. Andrew M, did discussions with the VFPA include conversations about whether they are regulated by VDOT? Don’t they have to carry a proper registration?
  1. Andrew M – No, not necessarily.
  2. Sean F – It’s not a vehicle?
  3. Andrew M – There’s nothing in the SFPC that says you have to have a state inspection or registration or anything like that.
  4. Sean F – The USBC or the SFPC won’t require that, but for it to be a mobile truck, it would need to be regulated by VDOT.
  5. Perry W – Once it’s parked, DOT does not care. They don’t look at the components inside.
  6. Sean F – Suggests the following language: “Food Trucks must be registered by the Virginia Department of Motor Vehicles.” Otherwise, they become inoperable vehicles handled by your inoperable vehicle ordinance. Or they become permanent fixtures, and now we’re looking at something almost like an industrialized building. Or something akin to that. So instead of trying to address the mobility, maybe we should think about the overarching state authority.
  7. Andrew M – I can’t speak for Gerry on that, specifically. I wouldn’t necessarily agree. This question has come up before in our jurisdiction about whether the definition of a mobile food truck vehicle includes registration as a vehicle. Perhaps making the exception more exclusive to not only connecting to utilities, but also that the building the structure is connected to is also regulated by the applicable building code. We can table this and bring it back.
  8. Sean F – We have an example of this in Prince William County. We have data center complexes with a whole city of trailers. Google wanted to bring in a food trailer, so we pushed them down to the Industrialized Building Regulations with DHCD, and Brian Hilderbrand took a look at it and determined that it was a vehicle and wasn’t regulated under the IBSR. Our Building Official said that if it is not regulated as an industrialized building, then it needs to be regulated as a motor vehicle. We won’t apply the building code if it has a vehicle tag on it and it is on wheels.
  9. Andrew M – Asks Sean F to share that with Gerry.

- iii. Mike O' – Does this change impact those traditional mobile food trucks that use generators or propane for their equipment?
  - 1. Andrew M – Asks for clarification on Mike O's question.
  - 2. Mike O' – Does this impact mobile, DMV-licensed traditional food trucks that use propane or generators?
  - 3. Andrew M – It applies to them, but doesn't change anything with how they are being handled. This is to address the permanency concept.
  - 4. Perry W – Say you parked your truck at a site for over 180 days, and you decide that you don't want to use your 100-gallon propane cylinder and want to get a 500-gallon tank and set it out there, and then some other regulations may kick in.
  - 5. Mike O' – Where does it say that?
  - 6. Perry W – That's what we are trying to address.
  - 7. Mike O' – How?
  - 8. Kyle K – Because it would become permanent. You would now need to disconnect and do more permanent things to detach the unit and move it away, as opposed to a generator that is usually attached to the chassis, where you could just shut everything down and drive away. That's the whole point of this change: it's saying that if you become a more permanent structure, you can't just up and go; it's not really a mobile operation anymore.
- iv. Sean F – Going back to the Prince William County example, this particular food trailer had HVAC on the ground, an external propane tank, connected to electric service, but was still a vehicle registered with the DMV and not regulated by the building code. We permitted the disconnects and all of the equipment associated with the vehicle, but the permits were unrelated to the vehicle itself. I'll reach out to Gerry, but how do you define "excessive effort?" What does that mean in terms of enforceability? What's the threshold there that triggers a notice of violation? We are struggling with defining what "permanent" means. In the context of my example, Google was there for four years building a complex of data centers. [The food trucks] weren't permanent, such that they will be there forever or until they are obsolete, but they will be permanent for the time that they are there. Therefore, the DMV applicability is paramount.
- v. Jeff B – We will carry this over and have those with comments work with Gerry on the proposal.

5. **FP3303.1-24** – Ron Clements

- a. Ron C – Provides overview of the proposal along with a floor modification supported by the fire services.
- b. Consensus for Approval as Modified

## VPMC Proposals

### 1. **PM202-24** – Ron Clements

- a. Ron C – Provides overview of the proposal.
  - i. David B – Representing self. Unsure how #3 affects #4 or vice versa.
    - 1. Ron C – These are all independent items. This proposal is just putting back words that were inadvertently removed during the previous cycle.
    - 2. David B – Not opposed to it. Disagrees with it but not opposed to it.
  - ii. Jeff B – Asks for further comments in support or opposition.
- b. Consensus for Approval

### 2. **PM302.5-24** – Matt Mertz

- a. Matt M – Provides overview of the proposal.
- b. Steve S – Speaking for self. Supports. Good catch, particularly with grammar.
- c. Dennis H – Representing self. This would apply to structures on the exterior?
  - i. Matt M – I thought about that, too. In the end, I decided to go with a simple change rather than questioning whether this provision should exist where it exists.
- d. Consensus for Approval

### 3. **PM303.2-24** – Ron Clements

- a. Ron C – Provides overview of the proposal.
  - i. Sean F – Wouldn't the applicable building code define these for you? You struck out "Applicable building code" and then put in specific sections.
  - ii. Ron C – The proposal moves "Applicable building code" down into the new sections.
  - iii. Sean F – Thank you.
- b. David B – Supports.
- c. Consensus for Approval

### 4. **PM309.1-24** – Matt Mertz

- a. Matt M – Provides overview of the proposal.
- b. Steve S – Representing himself, supports.
- c. Consensus for Approval

### 5. **PM602.2-24** – Honore Tchou (Absent)

- a. Jeff B – Provides an overview of the proposal along with background information on the Heating and Cooling study group. The study group started developing a draft proposal that will be discussed once it is finalized, to hopefully capture all of the concerns of the proponent. Staff have followed up with the proponent after the first study group meeting.
- b. Steve S – On behalf of AOBA. Against this proposal.
- c. Andrew C – Was there consensus in that study group? If someone is invested in it, instead of tabling it, is it possible to send it back to the study group?
  - i. Florin – We’ve reached out to the proponent and have not heard whether he wants this tabled. The study group or its participants will develop their own proposal separate from this one. The group today can make a recommendation on the proposal as it is presented. Study group members are working on a consensus proposal.
- d. Jeff B – It’s okay for the group to decide on this, and we will update the proponent.
- e. David B – Opposed to proposal.
- f. Dennis H – VPMIA. Not feasible with a two-pipe system in R-2s. Not in favor.
- g. Andrew C – Just as a suggestion. A lot of these proposals have come up during session from constituents and legislators want to be responsive to their constituents and make sure they get a fair hearing. For the sake of not excluding a stakeholder, maybe carry this over.
- h. Jeff B – That’s fair. Is everyone good with that approach since he is a citizen working on his own?
- i. Steve S – There was also discussion in the SG meeting about consistency among codes. Issues with what the VMC, VCC, and VPMC may require. I hope the proposal that comes back addresses those.
- j. Carried Over

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### VCC Proposals

#### 1. **B434-24** – Michael McCabe (absent)

- a. Florin M – We worked with the proponent to some extent to help him put this within the context of the code. Staff are not speaking to the merits or technical aspects of the proposal. Provides overview of the proposal.
  - i. Steve S – Behalf of AOBA. Opposed. This should go through the ICC process.
  - ii. Kyle K – Behalf of self. The number one thing that this proposal could use to make it more palatable is to reduce the amount of code language in the definition. At the very least, it would need some code sections instead of putting so much of that in the definition. This will require considerable effort to clarify the intent.
  - iii. David B – VBCOA building code committee is in opposition. This should go through a full vetting process.

- iv. Ron C – Unsure what this applies to. Would this apply to every building ever built? There’s no code language or mandatory language here.
- b. Non-consensus.

2. **B903.2.1.2-24** and **B907.2.1.1-24** – Richard Gordon

- a. Richard G – Asks to discuss B903.2.1.2-24 and B907.2.1.1-24 together as they are companion proposals. Provides overviews of the proposals.
  - i. Dennis H – Question for B907.2.1.1-24: How does the code official determine the average ambient noise when determining compliance?
    - 1. Richard G – Great question. NFPA 72 has a test method, but it doesn’t provide much usability here.
  - ii. Steve S – Speaking for self, referencing B903.2.1.2-24. This is a big leap where restaurants that wouldn’t previously need sprinklers now need to be sprinklered. Agrees the definition of night club needs work. Opposes this proposal. AOBA has no position.
  - iii. David B – Representing VBCOA’s building code committee. A change of use where a restaurant would go from a smaller restaurant to a larger one could be detrimental, and the cost impact would be astronomical. Unsure if there is any justification for this. VBCOA’s building code committee is opposed to both.
  - iv. Sean F – Opposed to both. Asks the proponent to come up with data to support the change.
  - v. Jeff B – Do you want to move forward with getting a vote on this?
  - vi. Richard G – If I want to submit something that’s totally different version just to address the night club clarification, I can do that separately.
- b. Non-consensus

3. **B1006.3.4-24** – Lyle Solla-Yates

- a. Carried over at the request of the proponent.

4. **B3005.4-24** – Ron Clements

- a. Ron C – Provides overview of the proposal.
- b. David B – VBCOA building code committee is in support of the change.
- c. Consensus for Approval.

5. **B3102.1-24** – Ron Clements

- a. Ron C – Provides overview of the proposal.
- b. Consensus for Approval.

6. **B3301.1-24** – Ron Clements

- a. Ron C – Provides overview of the proposal.
  - b. Andrew M – VFSB supports
  - c. David B – VBCOA building code committee supports.
  - d. Consensus for Approval as Modified
- 

**VEBC Proposals**

7. **EB504.1.6-24** – Corian Carney

- a. Corian – Provides overview of the proposal.
  - i. Ron C – Not speaking in opposition. Probably need to do a companion proposal in Chapter 1 that gets you out of the existing building code for residential work that says you can do like-for-like replacements.
  - ii. David B – Not opposition. Typically, when we deal with residential, we stay in residential. The existing building code is there for the commercial side but doesn't typically deal with R-5. Doesn't think the section should be removed from the VRC.
  - iii. Corian – Comfortable with keeping it in the residential code.
- b. Kyle K – Would it be better to have a pointer in the residential code to say, “Refer to section 504.1.6 of the Existing Building Code” instead of having the exact requirement in two different texts.
  - i. Ron C – 102.2.2 probably overrides what's in the residential code. You can leave this language in Chapter 5 for the other R-occupancies, but something should be added to 102.2.2 to give you the path to the VRC.
  - ii. David B – Does not disagree with Ron.
- c. Steve S – AOBA is not in support. The proposal says there is no cost impact, but there would be a cost impact, right?
  - i. Corian C – Maybe there would be a cost impact. Most panel boards are built with them installed on the panel board already, so you may not have a choice anyway.
  - ii. Steve S - Opposed to adding this to the Existing Building Code.
- d. Andrew C – HBAV is not in support. Significant cost impact.
- e. Jeff B – Chapter 5 is the repairs chapter and staff's position is that a panel replacement would be an alteration. Should this be in chapter 6 instead of chapter 5?
  - i. Corian C – It really should be in both.
  - ii. Jeff B – Asks Corian if he wants to carry this proposal over to the next meeting or move forward with a vote.
  - iii. Corian C – Carry Over.

- f. Carry Over.

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### **Energy Proposals**

1. **REC-R402.1.2(1)-24** – Eric Lacey
  - a. Carried over at the request of the proponent.
2. **REC-R402.1.2(2)-24** – Eric Lacey
  - a. Carried over at the request of the proponent.
3. **REC-R402.1.2(3)-24** – Jason Vandever
  - a. Jason V – Provides an overview of the proposal.
  - b. Jeff B – This was discussed at the Energy Sub-Workgroup meeting, and there was no opposition from those in attendance. Opens the floor for discussion.
  - c. Consensus for Approval
4. **REC-R402.4.1.2-24** – Eric Lacey
  - a. Carried over at the request of the proponent.
5. **REC-R405.2-24** – Eric Lacey
  - a. Carried over at the request of the proponent.
6. **REC-R408.2.9-24** – Eric Lacey
  - a. Carried over at the request of the proponent
7. **EC-C402.5.2-24** – D.A. Pierce
  - a. D.A. Pierce – Provides overview of the proposal.
    - i. Steve S – Speaking for himself. Aren't there potentially other buildings that could benefit from this that should be included? Perhaps a warehouse space?
      1. D.A. Pierce – Yes, that was discussed, but I plan on submitting this just for data centers at this time for expedience and because Virginia is the data center capital of the nation.
  - b. David B – The way the second part is written, if there is an office space in this warehouse that is not housing server cabinets, would that space require skylights?

- ii. D.A. Pierce – Yes. A data center can be a use within a mixed-use occupancy. And this would only apply to the data center portion.
- c. Consensus for Approval

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## VRC Proposals

### 1. **RB301.2.1-24** – Chase McCarthur

- a. Paul Keller – Owner of Turnkey Porch Enclosures. Provides overview of the proposal.
  - i. Steve S – Speaking for himself. Are there other manufacturers who make this product?
  - ii. Paul K – There are.
  - iii. Steve S – So this isn't unique to your product?
  - iv. Paul K – Correct. There are similar products.
  - v. Steve S – Not sure everybody is going to follow the instructions on a label. We are going to have windborne debris all over the place.
  - vi. Paul K – The way we looked at this is that hurricane preparedness is universal. When there's high wind, people are moving things from their pool, securing things, and boarding up windows. This is about a 30-second way to prepare for hurricanes.
- b. D.A. Pierce – Representing self. How is this not different from a sunroom?
  - i. Paul K – A sunroom is a glass structure. These enclosed porch areas have panels that can move and have less fixed glass than a sunroom.
  - ii. D.A. Pierce – There are five categories of sunrooms, and this appears to fit into Category 1. All sunrooms can be built on a deck-style foundation. If it's a raised floor system, the code states that the system needs to be engineered. Would this be more appropriate in the sunroom provisions of the code, particularly under the Category 1 section? As far as engineering is concerned, you don't necessarily need a foundation; however, if you have a Category 4 or 5 sunroom, which requires insulation, there's a minimum requirement of an air barrier underneath the space if you don't have a foundation.
  - iii. Paul K – In practically every application we are doing this, there is not a sealed or closed foundation system underneath.
- c. Kyle K – Not opposed to a change specifically on this subject because I know this is highly debated. Did the 75-mph number strictly come from the other states, or do you have some testing that shows it fails at 75mph?
  - i. Paul K – No. This is the verbiage that NC put in. I don't know who created that mile per hour rating.
  - ii. Steve S – Cat 1 hurricanes start at 76mph, so this falls below this.
  - iii. Paul K – We're trying to differentiate between a random storm and a hurricane.

- iv. Kyle K – Spoke with another manufacturer whose product fails at 60 mph. Is there any testing that talks about where that failure rate is?
- v. Paul K – I don't believe there is, but I think that is the whole reason for the labeling. Instead of being able to say definitively what this product will do, the solution is to take the sashes down once we get above these high winds.
- vi. Kyle K – We're already making an exception that it doesn't meet code. However, we also don't have data that states that it can meet the number we're putting on there (the 75mph figure). Not sure of anywhere else in the code where it puts the responsibility on the owner to prepare for that type of weather. This needs to be addressed; I don't know if this is the solution.
- d. Andrew C – Putting the burden on the homeowner is something they may not be able to control. Would this preclude or put your company or product at a competitive advantage over others in the marketplace? Would your competitors say that they are comfortable with this?
  - i. Paul K – It's not that you'll have a single manufacturer, I'm saying this type of product in this industry is for people who are looking for additional protection on their porch.
- e. D.A. Pierce – A Category 1 sunroom doesn't require fenestration, just for clarification.
- f. Richard G – One other consideration that we've heard is to accept this as a guard. Now we have a structural requirement it has to meet, but we're hearing it's going to blow out at 40mph or 50mph. There are more applicability situations that we need to look at, too.
- g. David B – Opposed as it's written, particularly because of the decal language.
- h. Jeff B – If we go forward with the proposal right now, it would be labeled as non-consensus. You also have the option to carry this proposal over to the next meeting to work on it and bring it back to the next workgroup meeting.
  - i. Paul K – Is the opposition primarily if the label is permanent?
    - 1. D.A. Pierce – My opposition is that this is in the wrong section of the code. This should be in the Category 1 sunroom section.
  - ii. David B – This applies to an item and an action you have to do to that item after the fact. This seems more like a maintenance piece versus a construction piece.
  - iii. Kyle K – My opposition is that only in the event of hurricane-force winds is there cause for doing something about it, when some of these products will fail before then. I'm looking for some testing.
    - 1. Paul K – We have a product that works well and serves a need. We're just trying to find a way to work with everybody to make this product work.
- i. Jeff B – We can mark this as non-consensus, and it will still go to the Board for consideration with a summary of the discussion, or, if you want to get with stakeholders to work on it, we will need to table it now.
  - i. Paul K – Fine going forward as non-consensus.

- j. Non-consensus
2. **RB322.3.6-24** – Corian Carney
    - a. Corian C – Provides overview of the proposal.
      - i. Steve S – Representing self. Support.
    - b. Consensus for Approval
- 

### **Trades Proposals**

1. **M403.3.1.1-24** – Dennis Hart
  - a. Dennis – Provides overview of the proposal.
  - b. Richard G – Hanover County supports.
  - c. Steve S – Self supports.
  - d. Consensus for Approval
2. **M504.4-24** – Dennis Hart
  - a. Dennis – Provides overview of the proposal.
  - b. Consensus for Approval
3. **M506.3.2.5-24** – Dennis Hart
  - a. Dennis H – Provides overview of the proposal.
  - b. Steve S – In support.
  - c. Consensus for Approval
4. **M508.2-24** – Dennis Hart
  - a. Dennis H – Provides overview of the proposal.
  - b. Consensus for Approval
5. **M607.6.2.2-24** – Dennis Hart
  - a. Dennis H – Provides overview of the proposal.
  - b. Consensus for Approval
6. **M1109.2.5-24** – Greg Johnson (absent)
  - a. Dennis H – Not part of Greg’s group but provides an overview of the proposal. VPMIA and VBCOA were developing similar proposals.

- i. Steve S – First line of reason statement says this is on the consent agenda for 2027. If we want to adopt something in the 2027 code, this will be the language.
      - ii. Florin M – This proposal fixes an oversight during the development of the 2021 International Mechanical Code. The proposal that this was included in was a very extensive proposal, and the proponent never intended to add this criterion for Group A1 refrigerant. Since then, he has issued a white paper clarifying his intent.
    - b. Consensus for Approval
7. **M-FG404.7-24** – Withdrawn by proponent
8. **M-FG407.2-24** – Dennis Hart
  - a. Dennis H – Provides overview of the proposal.
  - b. Consensus for Approval
9. **RM-FG2415.7-24** – Dennis Hart
  - a. Dennis H – Provides overview of the proposal.
    - i. David B – Supports.
  - b. Consensus for Approval
10. **RE3601.8-24** – Corian Carney, Charles Styles, Joseph Willis
  - a. Corian C – Provides overview of the proposal.
    - i. Andrew C – Is this truly a cleanup, or am I missing something? HBAV members are unclear.
    - ii. Tread W – This isn't really a change; it's an alignment. Current disconnecting means provisions are muddled and confusing, and people don't know how to address them. The 2026 NEC proposal says, "You shall install the service disconnect means outside." This will happen in the 2026 National Electrical Code, and then we will be a code cycle ahead of it. We treat this as a service disconnect, not a servicing disconnect, or emergency disconnect, or meter disconnect, where the location of the grounding electrode system may change, or the location of the main overcurrent device may change. This gives it some consistency across the board, no matter where you are in the Commonwealth. The service disconnect, which has your overcurrent protection and your grounding electrode system established there, is outside for first responders. And there is no confusion about where it is and where it is not.
  - b. Jeff B – To clarify, this is a change from what's in the code now, where you don't have to place your service disconnect on the exterior.

- i. Tread W – That’s correct. You have the servicing disconnect that says, “This shall be the service disconnect.”
  - ii. Corian C – The way it’s written now, you have to have a disconnect outside. It doesn’t have to be a service disconnect, but that’s what everyone is suggesting. So it is a change.
- c. Andrew C – Asks proponents to get together with HBAV members to explain the proposal better.
  - i. Corian C – Agrees to carry over the proposal and work with HBAV.
- d. Carried Over

**11. RE3901.4.2-24 – Tread Willis**

- a. Tread W – Provides overview of the proposal.
  - i. Dennis H – Representing self. As I understand it, it’s not required to have an outlet in an island or peninsula. This would still put the use of extension cords at risk of getting pulled over the countertop because they could choose not to install the receptacle in that island or that peninsula.
  - ii. Tread W – Asks for floor amendment. Get rid of the comma and the “if.”
  - iii. Sean F – It still doesn’t make it mandatory.
  - iv. David B – No, it doesn’t.
- b. Kyle K – Is it your intention to keep the current provisions of 9 square ft and every 18 square ft after that? Or are we back to 1 outlet can work for the entire island?
  - i. Tread W – One outlet can work for the entire island. But it must be installed.
- c. Ron C – As the building official of my locality, I’m going to say this is still optional, the way it’s written. This won’t be enforced uniformly across the state.
- d. Jeff B – This is a substantive change based on statements made; there appear to still be questions as to what is required in the 2024 IRC. We do have time for a couple more meetings.
- e. David B – Verification of the other requirement is going to be critical. Because if not, you are just saying that no island needs an outlet.
- f. Corian C – I’m neutral on this one.
- g. Dennis H – People don’t want the pop-up receptacles. I don’t think you’ll get a consensus if we require the pop-ups altogether.
  - i. Tread W – Pop-ups aren’t the only option. That is an option to achieve compliance, but it’s not the only option.
- h. Jeff B – Do you agree with carrying this one over?
  - i. Tread W – We’ll table and re-work.
- i. Carried Over

**12. RE3902.20-24 – Corian Carney**

- a. Corian C – Provides overview of the proposal.

- i. Andrew C – The cost impact is minimal. To get our members comfortable, they want to see if there's a demonstrated need that this would address in Virginia.
  - ii. Gerry O' – Representing Eaton. Based on national fire fighter association or FEMA data on fires dating back to 2002, which is when AFCI requirements were introduced to bedrooms (and has over time expanded to every space except attics, bathrooms, and garages), if there is a GFCI already on the circuit, this is a \$5-7 add-on to protect the entire circuit.
  - iii. Andrew C – We could find cost data all over the place.
- b. Gerry O' – From a fire perspective, home fires have roughly stayed steady. They might have declined 1-2%. If you base it on the number of homes built in 2000 compared to today, we've almost doubled the number of homes we build in a year.
  - i. Andrew C – In Virginia, that trend is the opposite. Our permit data has gone down significantly. A substantially smaller number of homes are being built each year.
  - ii. Gerry O' – I'm basing it on the number of fires. It's hard to place a true stat number on electrical fires based on electrical wiring versus electrical cooking on a countertop that started a fire.
  - iii. Andrew C – The fire services folks are beginning to amp up how they collect data, specifically for this purpose. We can then really hone in and say, "Are we addressing a perceived problem or do we have data that shows there is an issue?"
  - iv. Gerry O' – I can tell you that after doing studies, I receive a lot of calls and reports from NEMA on unwanted tripping or nuisance tripping. Is it really a nuisance if it's doing its job? It could be an unwanted trip that causes discomfort to reset the breaker. From our perspective, we have an excellent AFCI algorithm programmed into our devices. I want to say 80% of the items that we send a tech out to inspect are due to circuit overload. And any breaker would do it, whether it's AFCI or GFCI. If you overload a 20-amp circuit, it will trip.
- c. Jeff B – Andrew, are you in opposition at this point?
  - i. Andrew C – At this point.
  - ii. Corian C – I'm not sure if there is a world in which we all agree, so we will move forward with it as non-consensus.
- d. Non-consensus

## **General Stakeholder Workgroup Meeting**

### **Second Meeting Summary**

**Date: October 3, 2025**

**Location: 4224 Cox Rd, Glen Allen, VA 23060 - Virginia Housing Center**

**Time: 9:00 AM**

#### **Attendees:**

##### **VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director of Building and Fire Regulation
- **Florin Moldovan** – State Building Codes Office Director
- **Paul Messplay** – Code and Regulation Specialist, State Building Codes Office
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office
- **Rajan Eng** - Training and Development Specialist, Virginia Building Code Academy
- **Amy Fottrell** – Policy Analyst, Policy and Legislative Services

#### **Stakeholders:**

- **Andrew Clark** – Home Builders Association of Virginia (HBAV)
- **Andrew Grigsby** – Viridian
- **Andrew Milliken** – Stafford County Fire Marshal’s Office, Virginia Fire Services Board (VFSB) Codes and Standards Committee
- **Angela Gue** – Warren County
- **Bob Shippee** – Private Citizen
- **Bryan Holland** – National Electrical Manufacturers Association (NEMA)
- **Chelsea Harnish** – Virginia Energy Efficiency Council (VAEEC)
- **Chris Barfield** – University of Virginia, Building Official’s Office
- **Corian Carney** – York County, Independent Alliance of the Electrical Industry (IAEI) - Virginia Chapter
- **Dan Willham** – Fairfax County, Virginia Building and Code Officials Association (VBCOA)
- **David Beahm** – Warren County, VBCOA
- **David Compton** – City of Virginia Beach
- **Delegate Elizabeth Bennett-Parker** – Virginia House of Delegates 2025, 5th District
- **Dennis Hart** – Virginia Plumbing and Mechanical Inspectors Association (VPMIA), VBCOA PMG Code Committee
- **Doug Banks** – Henrico County
- **Eric Lacey** – Responsible Energy Codes Alliance (RECA)
- **Eric Mays** – Prince William County

- **Gregory Black** – George Mason University
- **Jason Laws** – Chesterfield County, VBCOA
- **Jonathan Sargeant** – Omega Flex
- **Joseph “Tread” Willis** – Prince William County, IAEL - Virginia Chapter
- **Joshua Davis** – State Fire Marshal’s Office
- **Joshua Jones** – Henrico County
- **Kevin Perry** – Warren County
- **Kyle Kratzer** – Fairfax County, VBCOA
- **Lee Stoermer** - Loudoun County Fire Marshals Office
- **Lyle Solla-Yates** – Charlottesville Planning Commission
- **Mark Graver** – City of Waynesboro, Builder, VBCOA Region III
- **Mark Price** – City of Martinsville
- **Mason Trimble** – Virginia Department of Energy (VDEG)
- **Matt Mertz** – Fairfax County
- **Matthew Byers** – Warren County
- **Matthew Robinson** - Spotsylvania County, VFSB
- **Michael Dellinger** – Albemarle County, VBCOA Region IV
- **Michaela Phillips** – Warren County
- **Mike O’Connor** – Virginia Petroleum and Convenience Marketers Association (VPCMA), Virginia Propane Gas Association (VAPGA)
- **Nicholas Bowles** – Halifax County
- **Peter Broadbent** – Virginia Cable Telecommunications Association (VCTA)
- **Richard Gordon** – Hanover County
- **Robby Dawson** – National Fire Protection Association (NFPA)
- **Ron Clements** – Chesterfield County, VBCOA Admin and Existing Building Code Committees
- **Rory Stolzenberg** - Charlottesville Planning Commission
- **Russell Furr** – City of Alexandria Fire Marshal’s Office
- **Ryan Celestino** – City of Newport News, IAEL - Virginia Chapter
- **Samuel Rokowski** - National Fire Protection Association (NFPA)
- **Sarah Thomas** – Virginia Association for Commercial Real Estate (VACRE)
- **Sean Farrell** – Prince William County
- **Shahriar Amiri** – Arlington County
- **Steve Shapiro** – Apartment & Office Building Association of Metropolitan Washington (AOBA), Virginia Apartment and Management Association (VAMA)
- **Susan Stillman** – Sierra Club, Virginia Chapter
- **William Abrahamson** – American Institute of Architects, Virginia Chapter
- **William Penniman** – Sierra Club, Virginia Chapter

## ADMINISTRATIVE PROPOSALS

### B101.2-24 (Withdrawn)

#### B101.2 (1)-24 – Joseph Wages (Non-Consensus)

- I. **Brian Holland** provided an overview of the proposal.
- II. **Support**
  - a. **Bill P** expressed support for the proposal based on the proponent's reason statement.
- III. **Opposition**
  - a. **Steve S** stated that the ICC board correctly kept these provisions in the appendices.
  - b. **Andrew C** noted that this creates a patchwork of enforcement across localities. ICC board deemed it outside of scope.
  - c. **Ron C** stated that the cost impact statement is inadequate. Further, this proposal makes requirements mandatory throughout Virginia and not optional for individual localities. Lastly, addressing a statement made by Brian H in his opening remarks, that this proposal, according to an ICC Appeals Board ruling, meets the scope and intent of the 2021 and 2024 IECC. He notes that only the ICC Board of Directors can make determinations on scope and intent, not the ICC Appeals Board.
  - d. **Shahriar A** expressed technical issues, noting the code doesn't specify how to install an Energy Storage System (ESS), only that one needs to be provided.

### B103.5-24 (Carry Over)

#### B105.2.1-24 – Kyle Kratzer (Non-Consensus)

- I. **Kyle K** provided an overview of the proposal.
- II. **Support**
  - a. **Ron C, Corian C, and Dennis H** expressed support based on the proponent's reason statement.
- III. **Opposition**
  - a. **Mark G** stated that qualifications are crucial for credibility and good stewardship.
    - i. **Eric M**, responding to **Mark G**, cited examples of hires in Prince William County that would violate the current strict provisions but was in support.
    - ii. **Kyle K** explained that the proposed change arose because of a misunderstanding about the intent of the existing section concerning technical assistant qualifications. He further noted that recent high school technical training programs influenced changes to the provision's language and that under the current system, the "three years of experience" requirement was still being imposed even on individuals with a two-year degree, which created a barrier for qualified candidates. **Kyle K** emphasized that the intent here is to allow hiring of candidates who have an equivalent

level of experience or education, not necessarily three years of direct experience. Lastly, he shared that Fairfax County has piloted an internship program where localities help interns gain the necessary “equivalent experience,” and uses a tiered system to develop interns up to “qualified individual” status.

**IV. Discussion**

- a. **David B** suggested a friendly amendment to remove "at least three years of..."
- b. **Andrew C** asked if the intent was to address staffing; **Kyle K** confirmed.
- c. **Ron C** noted that Chesterfield County relies on “any combination of education and experience,” and would have vacancies if the existing provisions were strictly enforced.
- d. **Sean F** expressed a need for correlation between the other regulations.
  - i. **Kyle K** noted that his intent is for correlation to occur and asked to discuss a compromise with opponents during the break.
    - 1. Note: This proposal moved forward as non-consensus due to **Mark G’s** opposition.

**B107.1-24 (Carry Over)**

**B109.1-24 – David Beahm (Consensus for Approval)**

- I. **David B** provided an overview of the proposal.
- II. **Support**
  - a. **Ron C** and **Mark G** expressed support, calling the current requirement an unnecessary burden.
- III. **Opposition**
  - a. No opposition was expressed by the stakeholders who were present at the meeting.
- IV. **Sean F** noted that reversed plans might not account for different setbacks between lots.
- V. **Eric M** expressed concern for complex sites with topography issues that may affect whether a basement would be considered a story above grade but removed opposition after proponent’s clarification that this proposal still requires the approval of the building official.

**B109.2-24 (Carry Over)**

**B109.4-24 (Carry Over)**

**B110.6-24 – David Beahm (Consensus for Approval as Modified)**

- I. **David B** provided an overview of the proposal.
- II. **Support**
  - a. **Ron C** and **Corian C** expressed support.
- III. **Opposition**

- a. **Shahriar A** expressed “mild” opposition and concerns that this proposal allows for unilateral permit extensions and suggested language to require a request be made to the building official for extensions.
  - b. **Mike D** opposed the change, citing complications with expired VDH permits.
- IV. **Discussion** led to a **floor modification** to strike "written" but keep "upon request," which gained consensus.
- a. **Andrew C** suggested that justification is required in the preceding sentence of the stricken language in the proposal.
    - i. **Corian C** agrees with Andrew’s statement.
  - b. **David B** expressed support for, “upon request,” with, “written,” being stricken.
    - i. **Shahriar A** expressed support for this modification.

**PM105.2-24 – Matt Mertz (Consensus for Approval)**

- I. **Matt M** provided an overview of the proposal.
- II. **Support**
  - a. **Sean F** noted that he worked with the proponent to reach this consensus language.
- III. **Opposition**
  - a. No opposition was expressed by the stakeholders who were present at the meeting.

**FP112.5-24 – Andrew Milliken (Consensus for Approval)**

- I. **Andrew M** provided an overview of the proposal.
- II. **Support**
  - a. **David B, Ron C, and Joshua D** expressed support for the proposal.
- III. **Opposition**
  - a. No opposition was expressed by the stakeholders who were present at the meeting.

**VIRGINIA CONSTRUCTION CODE (VCC) PROPOSALS**

**B406.2.7-24 (Carry Over) & FP1208-24 (Consensus for Approval as Modified) – Ernest Little**

- I. **Andrew M** provided overviews of the proposals on behalf of the proponent and **Jeff B** provided background on the floor modifications presented by the proponent.
  - a. **Sam R** noted that the proposed markings change in the 2026 National Electrical Code (NEC). Recommended the group look at those changes for correlation with this text.
- II. **Support (B406.2.7)**
  - a. **Russel F** expressed support.
- III. **Opposition (B406.2.7)**
  - a. **Mike O'** questioned the necessity of the proposal, asking for incident data and noting it singles out the private sector.

- b. **Andrew M** cited a significant fire in Colorado and the difficulty of extinguishing EV fires.
- c. **Dan W** opposed, feeling NFPA language shouldn't be duplicated in the USBC.
- d. **Brian H** opposed, citing flaws in the proposal and lack of incident data where a disconnect was available. Offered to work on a new modification.
- e. **William A** raised concerns about nuisance hazards and staffing for shutoffs in large developments.

IV. **Discussion (FP1208)**

- a. **Shahriar A** suggested changing "maintained" to "maintained in accordance with the applicable building code."
  - i. **Jeff B** asked if there is any opposition to **Shahriar A's** proposed modification.
  - ii. **Brian H** suggested pointing to NFPA 70B for maintenance standards.
    - 1. **Jeff B** noted that the definition of "Maintained" refers back to the building code that was applicable when the installation took place and would include the applicable standards at the time of construction.
- b. **Florin M** asked for clarification on the language being suggested for a modification by **Shahriar A**.
  - i. **Shahriar A** responded with, "Electrical vehicle charging systems, where provided, shall be maintained in accordance with the applicable building code," for 1208.1 and, in 1208.2, "Where provided, emergency shutoffs shall be maintained in accordance with the applicable building code."
- c. No opposition was expressed by the stakeholders who were present at the meeting.

**B509.1-24 – Andrew Milliken (Consensus for Approval)**

- I. **Andrew M** provided an overview of the proposal.
- II. **Support**
  - a. **Dan W** stated the proposal provides a good pointer that may otherwise be missed.
  - b. **Russel F** expressed support.
- III. **Discussion**
  - a. **Bill P** asked if the proposal would apply to Tesla wall-mount batteries in homes.
  - b. **Andrew M** stated it does not.
  - c. **Andrew C** asked if this would apply to multifamily developments.
  - d. **Andrew M** stated that it would, but that it would require a lot of battery storage to meet the threshold.
- IV. **Opposition**
  - a. No opposition was expressed by the stakeholders who were present at the meeting.

**B906.1-24 (Non-Consensus) and FP906.1-24 (Non-Consensus) – Morgan Hurley**

- I. **Jeff B** provided an overview of the proposal and the associated floor modification shared on the

screen.

II. **Support**

- a. **Andrew M** expressed support.

III. **Opposition**

- a. **Steve S** reiterated comments from the 2<sup>nd</sup> SFPC SWG meeting.
  - i. *Comments from 2<sup>nd</sup> SFPC SWG meeting: **Steve S** noted that striking A, B, and E occupancies has been proposed to be stricken for the past 5 code cycles and that the Board of Housing has rejected it every time. AOBA will be speaking again in opposition at the Board of Housing and Community Development meeting.*
- b. **Dan W** noted that the VBCOA building code committee opposes this proposal.
- c. **Shahriar A** stated that this proposal only increases costs without solving a problem.

**B917.1-24 – Gregg Black (Non-Consensus)**

I. **Gregg B** provided an overview of the proposal.

- a. **Sean F** asked if there is an Emergency Management Coordinator (EMC) at every facility?
  - i. **Gregg B** replied that there is an EMC at every facility as required by Executive Order 41.
- b. **Eric M** asked what happens if the building official disagrees with the EMC, who is the final decision maker?
  - i. **Gregg B** stated the risk analysis would have to be approved by the EMC.
  - ii. **Eric M** further inquired as to who has to approve the risk analysis under the current code?
  - iii. **Gregg B** noted that the current code is silent on who approves it.
  - iv. **Eric M** stated that since the code is silent, this would be under the purview of the building official.
  - v. **Gregg B** replied in the affirmative.
  - vi. **Eric M** asked if the proponent is intentionally usurping the power of the building official and giving it to someone else.
  - vii. **Gregg B** replied in the affirmative, further noting that the building official would have a say about what gets installed, to make sure that it's compliant with NFPA standards, but the risk analysis regarding how the system would be used and what the hazards and threats are to the building, would be within the purview of the EMC. The risk assessment addresses the hazards that the campus would face and how communication happens between campus administration and the occupants of the buildings.

II. **Opposition**

- a. **Dan W** opposed because it increases requirements for the building official, weakens their authority, and places an extra burden on them by having to coordinate with an extra agency.

III. **Support**

- a. **Chris B** expressed support, noting that UVA already coordinates with emergency management personnel for determining where monitors and notification devices should be placed.

**B1006.2.1-24 (Withdrawn) and B1006.2.1(1) (Consensus for Approval) – Daniel Willham**

- I. **Dan W** provided an overview of the proposal.
  - a. **Support**
    - i. **Andrew M** expressed support for B1006.2.1(1).
  - b. **Opposition**
    - i. **Andrew M** expressed opposition for B1006.2.1.
- II. **Dan W** – withdrew B1006.2.1.

**B1006.3.4-24 – Lyle Solla-Yates (Consensus for Approval as Modified)**

- I. **Lyle S** provided an overview of the proposal and presented a floor modification for consideration adding Item 7 to Section 1006.3.4.2, to read:
  - "7. The emergency power illumination requirements in section 1008.3 shall be provided regardless of there being only one means of egress under this section."
- II. **Sean F** asked if this proposal is the product of all of the stakeholders of the Single Exit Stair Study Group and, if so, why they are not listed as a proponent.
  - a. **Jeff B** explained that a consensus proposal did not come out of the Study Group. However, the original proposal was discussed by the Study Group and feedback was provided to the proponent who then revised the proposal to address concerns raised by the study group participants.
- III. **Support**
  - a. **Andrew C**, speaking on behalf of HBAV and the City of Harrisonburg, supported, noting that this proposal encourages redevelopment.
  - b. **Dan W** expressed support.
  - c. **Andrew M** stated support, noting that the reason for support is predicated on the fact that this proposal rejects the single-exit stair design for 5 or more stories, of which the VFSB is strongly opposed. Further, this proposal mandates additional fire protection features beyond what is required for a single-exit three-story design. He further noted that this proposal is consistent with what is required by NFPA 101 Life Safety Code for single-exit stair designs and the proposed provisions in the 2027 edition of the International Building Code. Lastly, this proposal supports utilizing the code development process instead of the legislative process and is intended to encourage redevelopment.
- IV. **Discussion**
  - a. **Mike D** expressed concern about the exemption permitted in the code for those buildings on sites where there is inadequate water pressure for a sprinkler system,

noting his reservations if this exemption applies to these four-story single-exit stair buildings.

- i. **Robby D** asked if the exemption mentioned by **Mike D** is applicable to these buildings, since these buildings exist in a separate section of the code.
  - ii. **Andrew M** provided additional detail, noting that the exemption only applies to two-story buildings and this proposal deals with four-story buildings, so the exemption would not be applicable.
- b. **Mark G** asked about adding a story to an existing non-sprinklered building.
    - i. A general discussion occurred among stakeholders about the applicability of the Virginia Existing Building Code (VEBC), noting that one cannot create or expand a non-conforming condition for an existing building.

V. **Opposition**

- a. No formal opposition was stated by the stakeholders present at the meeting.

**B1110.20-24 – Delegate Elizabeth Bennett-Parker (Carry Over)**

- I. **Delegate Bennett-Parker** provided an overview of the proposal.
- II. **Support**
  - a. **Steve S, Bill P, Eric L, Andrew C, Ron C, and Sean F** all expressed strong support.
- III. **Opposition/Clarification**
  - a. **Dan W** noted that VBCOA Building Code Committee wanted further data as to the necessity for this change and further stated that there are no specifications as to what constitutes a “baby changing station” versus an “adult changing station.”
  - b. **Shahriar A** suggested using the term "diaper changing station" from A117.1 for clarity.
  - c. **David B** noted that there is no clear language as to whether you would be required to install a baby changing station if an adult changing station already exists.
- IV. **Delegate Bennett-Parker** agrees to carry over the proposal to work with stakeholders on consensus language.

**B3002.4-24 – Lyle Solla-Yates (Non-Consensus)**

- I. **Lyle S** provided an overview of the proposal and the associated floor modification, explaining that the language from the original proposal is being changed with the floor modification from “with the following” to “with all of the following” for clarity and to ensure all listed requirements must be met.
- II. **Support**
  - a. **Andrew C** expressed support for the proposal but suggested that the proponent should meet with other stakeholders to address any outstanding concerns and possibly improve the proposal further.
  - b. **William A** indicated support for the proposal.
  - c. **Rory S** explained that the proposal targets buildings that typically do not have elevators

due to their high cost. He argued that adopting this proposal could encourage the installation of additional elevators, which would improve both evacuation during emergencies and firefighter access.

III. **Opposition**

- a. **Andrew M** strongly opposed the intent of the proposal.
- b. **Lee S** (speaking on behalf of himself) opposed the proposal, describing the practical difficulties of evacuating patients on backboards down multiple flights of stairs, a process that requires 5-6 people. Lee argued that elevators would allow just 2 people to transport someone, highlighting the safety and efficiency benefits of elevator access in emergencies.

**B3102.1-24 (Withdrawn)**

**B3500-24 - Mark Dreyer (Non-Consensus)**

- I. **Jeff B** provided an overview of the proposal.
- II. **Support**
  - a. No support from stakeholder participants was expressed.
- III. **Opposition**
  - a. **Steve S** noted that this proposal goes beyond what ICC did with regard to ASCE supplement 2, further stating that the cost is enormous, especially considering those buildings constructed in flood hazard areas.
  - b. **Dan W and Andrew C** opposed for the same reasons noted by **Steve S**.

**VIRGINIA EXISTING BUILDING CODE (VEBC) PROPOSALS**

**EB202-24 – Eric Mays (Consensus for Approval as Modified)**

- I. **Eric M** provided an overview of the proposal, including the floor modification shared on the screen, which narrows the scope to only include special occupancies as described in NFPA 70.
- II. **Support**
  - a. **Corian C, Ron C, Shahriar A, Brian H, and Mike D** all supported the modified proposal.
- III. **Opposition**
  - a. No opposition was expressed by the stakeholders who were present at the meeting.

**EB601.5-24 – Dennis Hart (Carry Over)**

- I. **Dennis H** provided an overview of the proposal and expressed his intent to carry over the proposal but was interested in receiving feedback from the stakeholders.
- II. **Support**
  - a. **Mike D, Jonathan S, and Andrew M** expressed support.

III. **Opposition**

- a. **Ron C** expressed opposition, noting that these provisions cannot be enforced uniformly across the state. The purpose of the VEBC is not to be a retrofit code.

**EB601.6-24 – Delegate Elizabeth Bennett-Parker (Carry Over)**

I. **Delegate Bennett-Parker** provided an overview of the proposal.

II. **Discussion**

- a. **Dan W** asked if this would need to be provided for all level 1 alterations as a trigger but only level 2 alterations in bathrooms as a trigger?
  - i. **Delegate Bennett-Parker** stated the intent is for both a level 1 or level 2 alteration to a restroom.
- b. **Florin M** asked if that should be considered a floor modification to read, “for a level 1 or level 2 alteration that includes renovations or alterations to a restroom, a baby and toddler diaper changing station...”
- c. **Shahriar A** recommended deleting level 1 or level 2 as there is no longer a level 3 alteration. **Jeff B** restated the modification to read, “for alterations that include renovations or alterations to a restroom, ...”
- d. **Shahriar A** supported this change.

III. **Support**

- a. **Eric L, Bill P, and Tread W**, all representing themselves, expressed support.

IV. **Opposition**

- a. **Ron C** stated that VBCOA’s VEBC committee opposes this proposal because level 1 alterations could include small repair work, such as replacing a light fixture or a floor tile, and these types of alterations would now have to meet this new requirement.

**VIRGINIA PROPERTY MAINTENANCE CODE (VPMC) PROPOSALS**

**PM602.2(1)-24 – Honore Tchou (Non-Consensus)**

*Note: The original proposal designation number for this proposal was PM602.2-24*

I. **Jeff B** provided an overview of the proposal on behalf of the proponent.

II. **Support**

- a. No support was expressed by stakeholders present at the meeting.

III. **Opposition**

- a. **Shahriar A, Steve S, Andrew C, and Dennis H** expressed opposition to this proposal in favor of proposal PM602.2(2)-24.

**PM602.2(2)-24 – Gregg Fields, Earl Weaver, Delegate Elizabeth Bennett-Parker (Consensus for Approval as Modified)**

I. **Jeff B** provided an overview of the proposal on behalf of the proponents.

II. **Support**

- a. **Dennis H, Andrew C, Steve S** expressed support for this proposal over the alternative proposal - PM602.2(1)-24.

III. **Discussion:**

- a. **Florin M** provided additional background, noting the proposal stemmed from the Study Group formed to address legislative concerns.
- b. **Eric M** recommended using permissive language "may also enforce" rather than mandatory "shall".
- c. **Jeff B** reiterated that there were not going to be any more study group meetings and the proponents were not in attendance, so he does not have the authority to speak on their behalf and make an amendment. If there is opposition, then it will go down as non-consensus and it will be noted that VBCOA Region III is against it.
- d. **Mark G** speaking on behalf of VBCOA Region III, was initially opposed but removed opposition after further discussion.
- e. **Dan W** suggested language changes and referencing specific section numbers in Section 104.1.
- f. **Florin M** clarified that staff helped draft the proposal and did not include reference sections for ease of correlation with future code cycles.
- g. **Bill P** not speaking in opposition or support, argued heating and cooling are health and safety issues and that there are people who die if they don't have access to air conditioning or heating.

IV. **Opposition**

- a. No opposition was expressed by the stakeholders who were present at the meeting.

**STATEWIDE FIRE PREVENTION CODE (SFPC) PROPOSALS**

**FP405.5-24 – Delegate Elizabeth Bennett- Parker (Consensus for Approval as Modified)**

I. **Delegate Bennett-Parker** provided an overview of the proposal.

II. **Jeff B** provided an overview of the floor modification.

III. **Support**

- a. **Russel F** expressed support.
- b. **Andrew M** noted that the Virginia Fire Services Board (VFSB) did not support the original proposal and had not yet formally reviewed the amendment, but he worked with Delegate Bennett-Parker to develop the modified language, and he supports its adoption.
- c. **Steve S** asked about the notification timeline in NFPA 72.
  - i. **Andrew M** responded that only notification before and after is required.
  - ii. **Steve S**, upon clarification, indicated support for the proposal.

IV. **Opposition**

- a. No opposition was expressed by the stakeholders who were present at the meeting.

#### **FP601.2-24 – Gerry Maiatico (Non-Consensus)**

- I. **Florin M** provided an overview of the proposal.
- II. **Andrew M** brought up that there had been a prior discussion about updating the definition of “Utilities” within the proposal to address ambiguities or concerns, but no new language had been incorporated yet.
  - a. **Florin M** noted that no floor modifications or updates had been received from the proponent since the last discussion.
- III. **Support**
  - a. No support was expressed by the stakeholders who were present at the meeting.
- IV. **Opposition**
  - a. **Steve S** opposed. Initially supported with the carve out for telecommunication devices.
  - b. **Peter Broadbent** expressed strong opposition, describing the proposal as the “biggest public safety hazard.” He further emphasized deep frustration that, despite repeated requests, no answers or collaboration from the proponents had been provided over the past two months. Lastly, stakeholders from the telecommunications sector have safety and operational concerns that remain unaddressed.
  - c. **Bill P** asked for clarification as to which occupancy groups this proposal would apply.
    - i. **Jeff B** responded, clarifying that the proposal does not limit its application to any specific occupancy group.

#### **FP807.2-24 – Andrew Milliken (Consensus for Approval)**

- I. **Andrew M** provided an overview of the proposal.
- II. **Support**
  - a. **Russell F** expressed support.
- III. **Opposition**
  - a. No opposition was expressed by the stakeholders who were present at the meeting.

#### **FP901.6.3-24 – Andrew Milliken (Consensus for Approval)**

- I. **Andrew M** provided an overview of the proposal.
- II. **Support**
  - a. **Russel F** and **Steve S** expressed support.
- III. **Opposition**
  - a. No opposition was expressed by the stakeholders who were present at the meeting.

#### **FP3101.1-24 (Withdrawn)**

#### **FP4101.9-24 – Andrew Milliken (Consensus for Approval)**

- I. **Andrew M** provided an overview of the proposal.
- II. **Support**
  - a. **Russell F** and **Lee S** expressed support.
- III. **Opposition**
  - a. No opposition was expressed by the stakeholders who were present at the meeting.

#### **FP4106.1.3-24 – Gerry Maiatico (Carry Over)**

- I. **Jeff B** provided an overview of the proposal.
- II. **Support**
  - a. **Lee S** expressed support.
- III. **Shahriar A** asked whether the proposal would result in the entire food truck being exempt from utility requirements.
  - a. **Andrew M** responded that the intent is not a blanket exemption, but rather to ensure that any utility connection (e.g., electrical, gas) for a mobile food truck is made in accordance with the applicable building code.
  - b. **Florin M** clarified further that based on discussions at previous SFPC Sub-Workgroup meetings, it appears that the proposal is specifically aimed at addressing mobile food vehicles that are not currently in compliance with the applicable building code.
  - c. **Shahriar A** expressed skepticism about exempting food trucks from utility requirements, stating that such an exemption “does not make sense.”
  - d. **Andrew M** noted that the proponent is open to changing the proposal’s language to address these concerns and provide greater clarity.
- IV. **Opposition**
  - a. **Mike D** opposed the proposal in its current form, arguing that it could create conflicts between the building official and the fire official regarding enforcement and compliance.
  - b. **Andrew M** suggested that including clarifying language such as, “has been modified to be a structure,” could help resolve some of these conflicts.
  - c. **Mike D** agreed that such language would be helpful.
- V. **David B**, speaking on behalf of the proponent, asked for the proposal to Carry Over.

#### **FP5001.7-24 – Andrew Milliken (Consensus for Approval)**

- I. **Andrew M** provided an overview of the proposal noting that the VFSB codes and standards committee supports the proposal.
- II. **Opposition**
  - a. No opposition was expressed by the stakeholders who were present at the meeting.

#### **FP6112-24 – Lee Stoermer (Carry Over)**

- I. **Lee S** provided an overview of the proposal that included a floor modification of the original proposal.

- a. **Steve S** asked for clarification on what “IROL” stands for in Section 6112.4 of the floor modification and what its function is.
  - b. **Lee S** responded that IROL is a third-party online system for recording compliance and inspection data.
  - c. **Steve S** asked if the use of such a system is a mandate under the proposal.
  - d. **Lee S** replied that it is not a mandate, just an option that other jurisdictions are already using.
- II. **Shahriar A** pointed out that although the section title references “vendor,” many of the detailed requirements seem to be placed on the customer, leading to potential confusion over responsibility.
- a. **Lee S** responded that the proposal is geared toward notification to the vendors.
- III. **Ron C** raised the concern that IROL is a private, proprietary company and questioned the appropriateness of referencing a specific company or product within the state code.
- a. **Lee S** indicated willingness to remove the reference to IROL if necessary.
- IV. **Jeff B** asked for clarification if the proponent is still working on potential changes with the gas association and the intent was to carry over this proposal but would like to get some additional feedback. The proponent verified that that is the intent.
- V. **Mike O’** speaking on behalf of the VAPGA, read a response from the national organization. “The proposal sounds reasonable based upon the circumstance, none of these items would be considered out of OSHA, NFPA, IFC or insurance provider norms. The items in conflict with the other regulations are as follows: 6112.6 and 6112.6.1. The use of atmospheric monitoring, and potential leak conditions regulated by 29 CFR (Title 29 of the Code of Federal Regulations) and NFPA 470 are areas outside of the scope and capabilities of propane marketers and something the propane industry relies on the fire department to supply. The recommendation is that the requirements focus on early notification and engagement with emergency responders as opposed to an obligation of air quality monitoring that is outside the capabilities of non-emergency personnel.”
- VI. **Shahriar A** asked whether the requirements in the proposal apply to portable LP gas tanks.
- a. **Lee S** clarified that the proposal applies only to underground and above-ground storage tanks, not portable LP tanks.
- VII. **Shahriar A** questioned who is going to notify the customers of these requirements in Sections 6112.1 and 6112.3.
- a. **Andrew M** responded that the requirements are for the vendor’s documents of the customer not a requirement of the customer.
  - b. **Eric M** clarified that the title of the section limits requirements to the vendor.
- VIII. **Jeff B** again asked for clarification from the proponent if they would like to carry over the proposal and the proponent indicated that was the plan.

## ENERGY CONSERVATION CODE PROPOSALS

### EC-C402.1.6-24 – Bill Penniman (Non-Consensus)

- I. **Bill P** provided an overview of this proposal.
- II. **Support**
  - a. **Eric L** pointed out that the provisions in question are 2006 IECC provisions, allowing roof and wall insulation levels to be reduced by half in certain occupancies and that skylights lose 2.6 times more heat than walls or roofs, making reduced insulation problematic. He further noted that the appendix would reintroduce distinctions between metal-framed and non-metal-framed windows, distinctions that are not present elsewhere in the current code. These added distinctions would create confusion and enforcement problems for code officials. Lastly, he recommended approving the proposal as written to avoid these complications and maintain clarity and consistency in the code.
  - b. **Chelsea H** expressed support based on **Eric L's** comments.
- III. **Opposition**
  - a. **Brian H** stated that NEMA prefers the national consensus process and argued that this should be handled at the national level where subject matter experts from across the country can provide insight.
  - b. **Steve S** opposed, noting that the General Assembly directive referenced by the proponent was to "consider" comparable standards, not necessarily adopt them verbatim.
  - c. **Mark G** warned that if these provisions are removed, it could lead to excessive insulation requirements being applied to buildings that were never intended to be properly heated (such as utility or storage buildings). He further emphasized the importance of including specific carve-outs or exemptions for certain building types, like utilities, to avoid imposing unnecessary or impractical insulation standards on them.
  - d. **David B** stated opposition based on **Steve S'** comments.

**EC-C403.7.4.1-24 – Tread Willis (Carry Over)**

**EC-C405.17-24 (Non-Consensus) and REC-R404.5(1)-24 (Non-Consensus) – Joseph Wages**

- I. **Brian H** provided an overview of the proposal on behalf of the proponent.
- II. **Support**
  - a. **Bill P** expressed support.
- III. **Opposition**
  - a. **Steve S** opposed, stating it goes beyond the "minimum code" and should be in appendices.
  - b. **Ron C** opposed, questioning if it's within the state code's scope and citing an inadequate cost impact statement.
  - c. **Andrew C** strongly opposed, citing unstudied impacts on utilities, land planning, and development costs.
  - d. **Mike O'** opposed, noting federal EV tax incentives have been repealed.

- e. **Andrew M** opposed, raising safety concerns for parking garages, particularly with regard to ventilation and adequate sprinkler systems.
  - f. **Shahriar A** opposed, noting safety concerns about EV fires and fumes.
- IV. **Brian H** responded to opposition by stating that other states have successfully implemented similar requirements and that guidance exists to avoid the raised concerns. **Brian** further moved to have companion proposal REC-R404.5(1)-24 go forward as non-consensus, as it deals with the same topics but on the residential side.

**EC-C405.17(1)-24 - Bill Penniman (Carry Over)**

**EC-1301-24 (Carry Over)**

**REC-R402.1.2-24 (Carry Over)**

**REC-R402.1.2(1)-24 (Carry Over)**

**REC-R402.1.2(2)-24 (Carry Over)**

**REC-R402.1.2(4)-24 (Carry Over)**

**REC-R402.4.1.2-24 (Carry Over)**

**REC-R402.4.1.2(1)-24 (Carry Over)**

**REC-R403.14-24 (Carry Over)**

**REC-R404.5-24 (Carry Over)**

**REC-R404.6-24 – Bill Penniman (Non-Consensus)**

- I. **Bill P** provided an overview of the proposal.
  - a. **Andrew C** asked for clarification about Section 404.6.5, specifically what is meant by a “permanently affixed object on site.”
    - i. **Bill P** responded that the intent is for the reserved area to be free from obstructions like chimneys or anything that would shade the area where solar panels are to be installed.
  - b. **Andrew C** asked if the provision would require developers to cut down trees that shade the roof or otherwise "obstruct" solar readiness.
    - i. **Bill P** clarified that the proposal would not require trees to be cut down and expressed willingness to further modify the language to clarify intent.
  - c. **Andrew C** voiced opposition: As written, the proposal could impose additional upfront costs on homeowners for a feature they may never use, while future owners could easily add solar readiness features during resale if desired. He does not see the benefit in mandating this for every home and believes it should be left to the homeowner’s discretion.
    - i. **Bill P** responded that if no roof area is reserved for solar panels at construction, the option for future homeowners to install solar is lost, emphasizing the importance of thinking ahead for future needs.

II. **Support**

- a. **Brian H** strongly supported the proposal, arguing that over the next decade, three systems - onsite renewable energy, energy storage, and electrified transportation - will become as fundamental in homes as circuits and branch feeders. Urged the group to be forward-looking and anticipate future trends in code development.

III. **Opposition**

- a. **Tread W** felt the provisions should remain in the appendix as an option rather than being mandatory.
- b. **Mark G** representing himself, believes solar readiness is best left to the free market. Noted some owners may simply not want roof-mounted systems due to concerns (e.g., fear of roof leaks).
- c. **Matthew R** representing himself, opposed, arguing that the proposal would create more requirements at plan review and inspection, possibly incurring costs that may not provide real benefit in the long run.
- d. **David B** opposed for the reasons already mentioned by other opponents.

**REC-R404.7-24 – Bill Penniman (Non-Consensus)**

I. **Bill P** provided an overview of the proposal.

- a. **Shahriar A** stated that the proposal is unenforceable in its current form. Appreciated the intent but emphasized that the language “needs work” to be practically implemented.
- b. **Mark G** expressed uncertainty about how to determine the correct electrical service size for a building when accounting for all the proposed provisions.
  - 1. **Brian H** responded that all the relevant components have minimum ampacity ratings specified. Building services can be sized according to these published requirements.

II. **Support**

- a. **Brian H** expressed support for the proposal. Cited the need to mitigate the risk of house fires caused by improperly installed or unpermitted electrical equipment, suggesting that forward-thinking code requirements can improve safety.

III. **Opposition**

- a. **Steve S** opposed, stating that the proposal goes beyond the minimum requirements of the code and should remain as an optional provision in the appendices.
- b. **Tread W** opposed, echoing the reasons given by other opponents.
- c. **Andrew C** and **David B** expressed opposition.
- d. **Matthew R** representing himself, opposed, arguing that the proposal would impose greater burdens on plan reviewers and inspectors, increasing complexity and possibly cost for stakeholders.

**REC-R405.2-24 Carry Over**

**REC-R405.2(1)-24 – Bill Penniman (Non-Consensus)**

- I. **Bill P** provides an overview of the proposal.
  - a. **Dan W** asked what difference it makes if you use BTUs (energy units) or dollars (cost) to calculate this ratio.
    - i. **Bill P** explained that if you base the calculation on dollars, you are subject to the volatility of changing energy prices.
    - ii. **Dan W** countered that in practice, you would use the same cost rates for both your actual design and the code’s reference design, so the calculation should remain correlated.
    - iii. **Bill P** reiterated that using BTUs means the analysis is based on energy consumption alone, avoiding the complications of fluctuating prices. Using dollars introduces a multiplier—the energy price—that can swing widely and unpredictably.
  - b. **Shahriar A** asked for clarification: “What is the standard reference design?”
    - i. **Bill P** answered that the standard reference design is the minimum requirements of the code.
- II. **Support**
  - a. No support was expressed by the stakeholders at the meeting.
- III. **Opposition**
  - a. **Mike O’** asked for justification of the cost impact statement, noting that the proponent’s reason statement addresses the future re-enforcement of RGGI (Regional Greenhouse Gas Initiative), which, anecdotally, has increased the cost of utilities.
    - i. **Bill P** replied that costs are coming down because the energy mix is shifting toward solar, wind, and nuclear, which are becoming cheaper over time. RGGI will influence the supply of these alternate forms of energy.
- IV. **Andrew C** asked for clarification on whether it is the builder’s choice to follow the simulated performance path for compliance, or if it is being mandated.
  - a. **Bill P** responded that it is the builder’s choice.

**REC-R408.2.9-24 (Carry Over)**

**TRADES PROPOSALS**

**M1103.1-24 – Dennis Hart (Consensus)**

- I. **Dennis H** provided an overview of the proposal.
  - a. **Support**
    - i. **Mark G** expressed support.
  - b. **Opposition**
    - i. No opposition was expressed by the stakeholders who were present at the meeting.

**M-FG310.2-24 (Consensus for Approval) and RM-FG2411.2 (Consensus for Approval) – Dennis Hart**

- I. **Dennis H** provided an overview of M-FG310.2-24 and companion residential proposal RM-FG2411.2-24.
  - a. **Support**
    - i. **Tread W** expressed support for both proposals.
    - ii. **Jonathan S** noted his favor of sunseting the non-arc resistant CSST and supported both proposals.
    - iii. **Andrew M** supported both proposals noting that in Maryland this product is not even able to be sold.
    - iv. **Jonathan S** and **Mike D** stated support for both proposals.
  - b. **Mark G** asked why this product would still be manufactured.
    - i. **Jonathan S** noted that if CSST is bonded correctly, it is safe. He further noted that his company sells this product in Canada where it's required to be bonded.
      - 1. **Mark G** asked if Jonathan S foresees manufacturing this product, and if so, how long this product will be in production.
  - c. **Jonathan S** noted that in competitive markets where this product is allowed, it will be sold since it is cheaper to manufacture.
  - d. **Opposition**
    - i. No opposition was expressed by stakeholders present at the meeting.

**RE3601.8-24 – Corian Carney (Carry Over)**

- I. **Tread W** provided an overview of the proposal.
- II. **Support**
  - a. **Brian H** expressed support.
- III. **Andrew C** asked the proponent if he could table the proposal to give Andrew time to review the proposal with HBAV membership.
  - a. **Tread W** agreed.

**RE3705.6-24 – Tread Willis (Consensus for Approval)**

- I. **Tread W** provided an overview of the proposal.
- II. **Support**
  - a. **Brian H** expressed support.
- III. **Opposition**
  - a. No opposition was expressed by stakeholders present at the meeting.

**RE3901.4.2-24 – Tread Willis, Eric Mays (Non-Consensus)**

- I. **Eric M** provided an overview of the proposal, including historical background with regard to how the provisions regarding island and peninsular countertop receptacles became code.
  - a. **Andrew C** asked if, based on the background narrative presented by the proponent, there is another proposal coming forward for consideration that aims to address the

concerns with appliances falling off of the counter and causing injury.

- i. **Eric M** stated that an alternate proposal would be reverting back to the 2018 language, which worked for 85 million people.
  - ii. **Andrew C** asked if carry over is possible to discuss with HBAV membership.
  - iii. **Eric M** expressed interest in having this proposal be non-consensus so that he can work with **Andrew C** and HBAV on a separate proposal.
- b. **Kyle K** representing himself, pointed out that this change doesn't solve the problems and dangers associated with receptacles installed at the end of the island, noting that you can still install the receptacle at the end of the island, on top of the countertop, and the cord could still be hanging over.
- i. **Tread W** reaffirmed that this proposal seeks to mitigate the problem, not solve the problem.
- c. **Dennis H** noted that the feedback he received is that this proposal essentially requires a pop-up receptacle installed in the countertop, which creates a situation where spills and debris can get into the assembly.
- d. **Brian H** stated that every solution that has been developed at the national level has created an unintended worse consequence and that he does not believe there is a good answer to this problem. He suggested going with the design that worked for 30 years.

### **Industrialized Building Safety Regulations Proposal**

#### **IB260-24 – DHCD Staff (Consensus for Approval)**

- I. **Jeff B** provided an overview of the proposal.
  - a. **Steve S** recommended changing the cost impact to “decrease cost”.
  - b. **Jeff B** noted that staff will make that change.
- II. **Support**
  - a. **Dan W** and **Steve S** (representing himself) expressed support.



## **General Stakeholder Workgroup Meeting**

### **Final Meeting Summary Day 1**

**Date: January 5, 2026**

**Location: 4224 Cox Rd, Glen Allen, VA 23060 - Virginia Housing Center**

**Time: 9:00 AM**

#### **Attendees:**

##### **VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director of Building and Fire Regulation
- **Florin Moldovan** – State Building Codes Office Director
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office
- **Brian Hilderbrand** – Construction Regulation Administrator
- **Chad Lambert** - Code and Regulation Specialist, State Building Codes Office
- **Thomas King** - Code and Regulation Specialist, State Building Codes Office
- **Travis Luter** – Code and Regulation Specialist, State Building Codes Office
- **Rajan Eng** - Training and Development Specialist, Virginia Building Code Academy
- **Stephen Reynolds** - Training and Development Specialist, Virginia Building Code Academy
- **Joseph Dennie** – Policy Analyst, Policy and Legislative Services

#### **Stakeholders:**

- **Abigail Thompson** – Gentry Locke
- **Andrew Clark** – Home Builders Association of Virginia (HBAV)
- **Andrew Milliken** – Stafford County Fire Marshal’s Office, Virginia Fire Services Board (VFSB) Codes and Standards Committee
- **Bob Shippee** – Sierra Club
- **Chris Barfield** – University of Virginia, Building Official’s Office
- **Corian Carney** – York County, Independent Alliance of the Electrical Industry (IAEI) - Virginia Chapter
- **Dan Willham** – Fairfax County, Virginia Building and Code Officials Association (VBCOA)
- **David Sharp** – Fairfax County
- **DeAnthony “D.A.” Pierce** – VBCOA Energy Committee
- **Dennis Hart** – Virginia Plumbing and Mechanical Inspectors Association (VPMIA), VBCOA PMG Code Committee
- **Donny Groh** – National Elevator Industry Educational Program (NEIEP)
- **Doug Banks** – Henrico County
- **Dwayne Smith** - Virginia Department of General Services

- **Eric Lacey** – Responsible Energy Codes Alliance (RECA)
- **Gerry O’Connor** – Eaton
- **Greg Cavalli** – Virginia Department of Fire Programs (VDFP)
- **James Walls** - Cast Iron Soil Pipe Institute (CISPI)
- **Jason Laws** – Chesterfield County, VBCOA
- **Jason Vandever** – North American Insulation Manufacturers Association (NAIMA)
- **Jonathan Sargeant** – Omega Flex
- **Joseph Wages Jr.** – National Electrical Manufacturers Association (NEMA)
- **Joseph “Tread” Willis** – Prince William County, IAEL - Virginia Chapter
- **Joshua Jones** – Henrico County
- **Justin Koscher** – Polyisocyanurate Insulation Manufacturer’s Association (PIMA)
- **Kara Alley** – Home Builders Association of Virginia (HBAV)
- **Katelyn Jordan** – Virginia Farm Bureau
- **Kyle Kratzer** – Fairfax County, Vice President of VBCOA
- **Lee Stoermer** - Loudoun County Fire Marshals Office
- **Mark Graver** – City of Waynesboro, VBCOA Region III
- **Matthew Robinson** - Spotsylvania County, VFSB
- **Michael Dellinger** – Albemarle County, VBCOA Region IV
- **Michele Throckmorton** – City of Chesapeake
- **Mike O’Connor** – Virginia Petroleum and Convenience Marketers Association (VPCMA), Virginia Propane Gas Association (VAPGA)
- **Peter Broadbent** – Virginia Cable Telecommunications Association (VCTA)
- **Paul Messplay** – Hanover County
- **Richard Moore** – Henrico County
- **Ricky Davis** - Rockingham County
- **Ron Clements** – Chesterfield County, VBCOA Admin and Existing Building Code Committees
- **Russell Furr** – City of Alexandria Fire Marshal’s Office
- **Ryan Celestino** – City of Newport News, IAEL - Virginia Chapter
- **Shahriar Amiri** – Arlington County
- **Steve Shapiro** – Apartment & Office Building Association of Metropolitan Washington (AOBA), Virginia Apartment and Management Association (VAMA)
- **Sydney Roberts** – Southeast Energy Efficiency Alliance (SEEA)
- **Syris Spinks** – City of Chesapeake
- **Tony Gardner** – Cast Iron Soil Pipe Institute (CISPI)
- **William “Rick” Hinson** – American Council of Engineering Companies (ACEC)

## VIRGINIA PROPERTY MAINTENANCE CODE (VPMC) PROPOSALS

### PM104.4-24 – DHCD Staff (Consensus for Approval)

- I. **Jeff Brown** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Shahriar A and Paul M** expressed support
- IV. **Opposition**
  - a. None

### PM106.8-24 – Michelle Throckmorton (Consensus for Approval)

- I. **Michelle T** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Steve S** highlighted that this proposal came from the Unsafe Structures Study Group and he is in support.
- IV. **Opposition**
  - a. None

### PM107.5-24 – Eric Mays (Consensus for Approval)

- I. **Florin M** provided an overview of the proposal.
- II. **Discussion**
  - a. **Shahriar A** expressed that he has concerns that due process could be compromised by computer software.
- III. **Opposition**
  - a. None

### PM606.1-24 – Shahriar Amiri (Consensus for Approval)

- I. **Shahriar A** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Steve S** speaking for himself, and **Dan W** expressed support.
- IV. **Opposition**
  - a. None

## STATEWIDE FIRE PREVENTION CODE (SFPC) PROPOSALS

### FP105.3.1-24 - DHCD Staff (Consensus for Approval)

- I. **Jeff B** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Dan W** and **Andrew M** expressed support.
- IV. **Opposition**
  - a. None

### FP107.11-24 – Greg Cavalli (Non-Consensus)

- I. **Greg C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Andrew C** asked if this was the same proposal that came up in the last cycle.
  - b. **Greg C** answered that it was not.
  - c. **Andrew C** noted that the Reason Statement states that joint recommendations between the Board of Housing and Community Development (Board) and the Virginia Fire Services Board are to be included in a report that has not been made public. **Andrew C** asked if this proposal is similar to proposals or recommendations in the report.
  - d. **Greg C** responded that this proposal does not represent a joint recommendation under the report. The Virginia Fire Services Board approved of all their recommendations, but they have not reached consensus with the Virginia Board of Housing and Community Development.
  - e. **Andrew C** reiterated that his concern is that this proposal doesn't reflect what joint recommendations could come from the two boards.
  - f. **Andrew M** asserted that if the boards have objections to this proposal, they can discuss it at the board meeting, and it would seem more appropriate to show that there is consensus among the stakeholders than non-consensus among the stakeholders because of potential board opposition.
- III. **Support**
  - a. **Andrew M** expressed support.
- IV. **Opposition**
  - a. **Andrew C** expressed opposition.

### **FP107.12-24 Greg Cavalli (Non-Consensus as Modified)**

- I. **Jeff B** announced that there was a floor modification to this proposal, which was shared on the screen.  
**Greg C** provided an overview of the proposal and the associated floor modification.
- II. **Discussion**
  - a. **Steve S** asked what Consumer Price Index was used.
  - b. **Greg C** clarified that proposal FP107.11-24 increased existing fees, and this proposal introduces new fees based on the Consumer Price Index (CPI) going back to 2009.
  - c. **Steve S** explained that the concern is the number of new fees and their associated costs. **Steve S** questioned the justification of the costs of new fees.
- III. **Support**
  - a. None
- IV. **Opposition**
  - a. **Steve S** expressed opposition.
  - b. **Andrew C** expressed opposition for the same reason as opposition to proposal FP107.11-24.

**Florin M** clarified for stakeholders that what was in cdpVA and the agenda at the time of the meeting were the proposals, as submitted, and did not reflect any floor modification text shown during the meeting. Floor modifications introduced during the meeting and shared on the screen are intended to highlight changes to the original proposal, in legislative format, and not changes to the model code or the existing regulation. Following the conclusion of the meeting, all floor modified proposals will be updated in cdpVA to show the final proposal.

### **FP107.12.1-24 – Greg Cavalli (Non-Consensus)**

- I. **Gregg C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Shahriar A** declared that it makes sense to adjust fees because business costs increase.
  - b. **Steve S** expressed that the determination of fees was now being taken out of the hands of the stakeholders and will only be decided by the Board of Housing.
  - c. **Shahriar A** responded that localities are allowed to increase permit fees without a consensus process so fees for the State Fire Marshal’s Office to perform inspections should be treated the same way.
  - d. **Andrew C** questioned what the Consumer Price Index has to do with the cost for government services.
  - e. **Mark G** declared that he feels this proposal adds an administrative burden to state government and was in opposition.
- III. **Support**
  - a. **Andrew M** and **Shahriar A** expressed support.

- IV. **Opposition**
  - a. **Steve S, Andrew C, and Mark G** expressed opposition.

**FP112.1-24 - Eric Mays (Consensus for Approval)**

- I. **Florin M** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Dan W** and **Andrew M** expressed support.
- IV. **Opposition**
  - a. None

**FP112.5(1)-24 – DHCD Staff on behalf of the Technical Review Board (TRB) (Consensus for Approval)**

- I. **Travis L** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Ron C, Dan W, and Andrew M** expressed support.
- IV. **Opposition**
  - a. None

**FP307.2-24 – John Miller (Consensus for Approval)**

- I. **Jeff B** announced that there was a floor modification to this proposal, which was shared on the screen.  
**Andrew M** provided an overview of the proposal and the associated floor modification and indicated that the VFSB feels that this is a good change.
- II. **Opposition**
  - a. None

**FP501.5-24 – Andrew Millikin (Consensus for Approval)**

- I. **Andrew M** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Matthew R** and **Russel F** expressed support.
- IV. **Opposition**

- a. None

**FP904.2.2.1-24 – Lee Stoermer (Consensus for Approval as Modified)**

- I. **Jeff B** announced that there was a floor modification to this proposal, which was shared on the screen.  
**Lee S** provided an overview of the proposal.
- II. **Discussion**
  - a. **Shahriar A** asked why only Type I hoods are addressed and not all other fire suppression systems in a building.
  - b. **Lee S** replied that not having the plans on site for Type I hoods is an issue because inspectors are finding cooking equipment is not matching the fire suppression set up. Equipment in commercial kitchens gets rearranged by cleaning crews, etc., whereas a sprinkler system does not get changed around.
  - c. **Rick H** asked how the phrase “shall be available” is enforceable because you can’t cite them for not being available.
  - d. **Lee S** replied that the second part of the proposal requires a plan if changes are made.
  - e. **Dan W** agreed that the term “available” lacks definition and weakens the enforcement position.
  - f. **Shahriar A** suggested eliminating the first sentence and making the second sentence the main body.
  - g. **Steve S** pointed out that old buildings are not going to have approved plans on site.
  - h. **Shahriar A** commented that if cooking equipment has been moved around and there are no approved plans showing it, then the fire marshal can cite it. They don’t need the original approved plans on site to do that.
  - i. **Lee S** agreed to modify the proposal based on Shahriar A’s recommendation.
  - j. **Jeff B** announced that the first sentence will be struck through and will be part of the floor modification.
  - k. **Rick B** proposed requiring an approved layout plan for the kitchen, mounted on a wall, like an emergency exit, so approved plans on site would not be required.
- III. **Support**
  - a. **Steve S** and **Shahriar A** expressed support.
- IV. **Opposition**
  - a. None

**FP1208(1)-24 – Andrew Milliken (Consensus for Approval)**

- I. **Andrew Milliken** provided an overview of the proposal.  
**Jeff B** clarified for the stakeholders that this proposal is like another proposal that was deemed Consensus for Approval at a previous meeting. When two or more similar

proposals reach Consensus for Approval, DHCD staff will flag those for the Board with the suggestion that only one gets approved so as not to cause a conflict in the regulations.

II. **Discussion**

- a. **Shahriar A** questioned the necessity of the exception as this could mean that the exception must be included in every section that involves one- and two-family dwellings
- b. **Andrew M** responded that the exception is intentional because the Statewide Fire Prevention Code is not routinely applied to one- and two-family dwellings because the routine inspection is exempt. However, there is no general assumption that the Statewide Fire Prevention Code does not apply to single family dwellings.

III. **Support**

- b. **Matthew R, Russell F,** and **Tread Willis** expressed support.

IV. **Opposition**

- a. None

**FP4106.1.3-24 – Gerry Maiatico (Non-Consensus)**

I. **Jeff B** provided an overview of the proposal.

II. **Discussion**

- a. **Shahriar A** expressed support but denoted that he has a problem with the exception and its intent.
- b. **Andrew M** supported the intent but believes that the exception creates a loophole where it is not a mobile food truck but also not a permanent structure.
- c. **Rick H**, speaking for himself, submitted that as a former building official he would not know how to apply the proposal.

III. **Support**

- a. None

IV. **Opposition**

- a. **Andrew M** and **Rick H** expressed opposition.

**FP6112-24 – Lee Stoermer (Consensus for Approval as Modified)**

I. **Jeff B** announced that there was a floor modification to this proposal, which was shared on the screen.

**Lee S** provided an overview of the proposal and the floor modification.

**Florin M** alerted the stakeholders that DHCD staff did not have the opportunity to thoroughly review the floor modification prior to the meeting for potential errors, typos, and conflicts with existing regulations because of timing. **Florin M** encouraged the stakeholders to take some time to read through the floor modification before opening the proposal up for discussion.

**Lee S** highlighted the changes in the modification from the original proposal at the request of **Steve S**.

II. **Discussion**

- a. **Shahriar A** brought up Section 6112.4.1 Unsafe conditions (new text) in the proposal and posed that he did not understand how to interpret the word “suspicion”.
- b. **Andrew M** pointed out that he believed the intent is to confirm a leak with some type of measuring device and not rely on sense of smell.

III. **Support**

- a. **Mike O, Andrew M, Russell F, and Shahriar A** expressed support

IV. **Opposition**

- a. None

## TRADES PROPOSALS

### E2701.1.1-24 – Eric Mays (Non-Consensus)

I. **Tread Willis** provided an overview of the proposal.

II. **Discussion**

- a. **Shahriar A** indicated that he is a part of inner jurisdictional meetings that have had a lot of discussion regarding this proposal.
- b. **Cory C** noted that National Fire Protection Association (NFPA) has done research that has shown that having receptacles serving island and peninsula countertops and work surfaces is either as unsafe or more unsafe than not having them. NFPA has added the option to not have receptacles serving these countertops and work surfaces.
- c. **Gerry O** brought up that there have been approximately 10,000 recorded emergency room cases since the early 90’s.
- d. **Tread W** added that this change is to the National Electrical Code and would include R-2 and R-3 dwelling units.
- e. **Dan W** stated that having cords on the counters that can drape off whether there are receptacles on the side or not, there is going to be a tradeoff either way because people will just use extension cords.
- f. **Gerry O** remarked that kitchen appliances are required to have a cord that is 24 inches or less, which is why the two-foot and four-foot rule for receptacle locations on kitchen countertops exist. So, these codes are designed to be aligned with the standards for these appliances.
- g. **Kyle K** commented that this proposal still does not prevent a receptacle from being installed on the countertop at the edge of an island where a cord could hang over the side.

- III. **Support**
  - a. **Shahriar A** expressed support.
- IV. **Opposition**
  - a. **Cory C, Ryan C, Gerry O,** and **Kyle K** expressed opposition.

**E2701.1.1(1)-24 – Andrew Clark (Non-Consensus)**

- I. **Andrew C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Cory C** believed that there was a misunderstanding why GFCI protection was added in basements. This was added based on the type of floor finish that is often found in residential basements.
- III. **Support**
  - a. None
- IV. **Opposition**
  - a. **Cory C** and **Paul M** expressed opposition.

**RE3601.8-24 – Cory Carney (Non-Consensus)**

- I. **Cory C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Ryan C** spoke in support as a current inspector; the options are often troublesome for the contractors as well as other inspectors.
  - b. **Gerry O** concurred, noting that the 2023 National Electrical Code (NEC) language was burdensome to the installer and the home builder.
  - c. **Andrew C** brought up an issue expressed by builders – not having the option of installing the service disconnect inside the dwelling unit; and noted that he is trying to understand what “within sight of the dwelling unit” means.
  - d. **Cory C** responded that you are not allowed to have only an interior disconnect. As far as removing the ability to disconnect it from the interior, it must be disconnected on the outside, whether you call it an emergency disconnect or a service disconnect, this makes no difference. It still must be disconnected from the exterior. The easier option is to just install the service disconnect outside. Now you can put your panel board anywhere in that house that you want.
  - e. **Gerry O** added once you take the main breaker and put it on the outside, a main breaker panel board is no longer required. What you're doing is moving the main breaker from inside or in a main panel board, putting it on the outside, and then feeding the panel board inside at any location. It doesn't have to be within a certain distance of entering the building.
  - f. **Andrew C** asked for clarity if the Board will hear feedback from stakeholders between now and their May meeting.

- g. **Jeff B** stated that proposals will go in front of the Board for consideration regardless of consensus or non-consensus. If the position of a stakeholder on any given proposal changes between now and then, they could submit a public comment for the Board’s consideration or speak in front of the Board during the public comment portion of the meeting.

III. **Support**

- a. **Ryan C, Gerry O, and Joseph W** expressed support.

IV. **Opposition**

- a. **Andrew Clark** expressed opposition.

**RE3702.14-24 – Kyle Kratzer (Consensus for Approval)**

- I. **Kyle K** provided an overview of the proposal.

II. **Opposition**

- a. None

**RE3901.4.2(1)-24 Andrew Clark (Non-Consensus)**

- I. **Andrew C** provided an overview of the proposal.

**Jeff B** reiterated to the stakeholders that this proposal is like another proposal (E2701.1.1-24) already heard. When there are similar proposals, regardless of whether it is Consensus for Approval or Non-Consensus, DHCD staff will flag those for the Board.

II. **Discussion**

- a. **Shahriar A** proclaimed that homeowners aren’t going to get permits to install future receptacles and they will just use extension cords. Anything is better than the unedited current code.

III. **Support**

- a. **Shahriar A** expressed support

IV. **Opposition**

- a. **Cory C** expressed opposition

**M507.1-24 Dennis Hart (Consensus for Approval)**

- I. **Dennis H** provided an overview of the proposal.

II. **Opposition**

- a. None

**M1103.1(1)-24 Dennis Hart (Consensus for Approval)**

- I. **Dennis H** provided an overview of the proposal.

II. **Discussion**

- a. None
- III. **Support**
  - a. **Steve S** expressed support.
- IV. **Opposition**
  - a. None

#### **M1109.3.2-24 Thomas Deary (Non-Consensus)**

- I. **Florin M** provided an overview of the proposal.
- II. **Discussion**
  - a. **Dennis H** stated that requiring ventilation and drainage for shafts that are not otherwise required will introduce inconsistent requirements that are not tied to a demonstrable increase in risk. The proposal maintains the internal level of safety while applying the code only where the risk justifies additional control.
  - b. **Steve S** noted that this is going to decrease construction costs because we will no longer have to ventilate pipe shafts that aren't required to be ventilated.
  - c. **Shahriar A** questioned why the proposal was needed because a single-family dwelling will not exceed the maximum limit on refrigeration so a shaft would not be required anyway.
  - d. **Florin M** clarified the proposal was not intended to apply to single-family dwellings. It is intended to apply to a dwelling in a commercial building where you might only have a single dwelling unit in a mixed-use occupancy. In this situation, the designer would have a choice to run uninterrupted piping with no joints through a shaft that doesn't have to meet the requirements of a shaft.
  - e. **Steve S** added that the third paragraph of the reason statement explains that you don't have to ventilate the shaft if the shaft isn't required.
  - f. **Shahriar A** countered that the code does not impose requirements on non-required equipment in Chapter 1 of the Virginia Construction Code (VCC).
- III. **Support**
  - a. **Dennis H** and **Steve S** expressed support.
- IV. **Opposition**
  - a. **Shahriar A** expressed opposition.

#### **M15-24 Thomas Deary (Non-Consensus)**

- I. **Florin M** provided an overview of the proposal.
- II. **Discussion**
  - a. **Steve S** asked if these editions of the standard are what is in the 2024 International Mechanical Code (IMC).
  - b. **Dennis H** answered that the 2024 editions have not been adopted in the 2027 IMC and they will be the 2022 editions.
  - c. **Steve S** was against putting in a standard that has not yet been recognized by the

IMC.

III. **Support**

- a. None

IV. **Opposition**

- a. **Steve S** expressed opposition.

**RM-FG2442.3-24 Kyle Kratzer (Consensus for Approval)**

- I. **Kyle K** provided an overview of the proposal.

II. **Discussion**

- a. None

III. **Support**

- a. **Shahriar A** and **Dennis H** expressed support.

IV. **Opposition**

- a. None

**P306.2.5-24 James Walls (Non-Consensus as Modified)**

- I. **James W** provided an overview of the proposal.

II. **Discussion**

- a. **Steve S** shared concern over the language, “Trench width shall be controlled to not exceed...”.
- b. **James W** responded that the language was taken from ASTM D2321 and “controlled” means the trench width as the minimum width to withstand the side wall.
- c. **Steve S** proposed to remove the word “control”, both instances in the second sentence.
- d. **James W** agreed to the modification.
- e. **Florin M** asked if the residential occupancies 75 feet in the exception refers to the height of the building or floor height above grade. **Michael D** noted that he had similar questions.
- f. **James W** responded that he was fine with adding “above grade” as a floor modification.
- g. **Dennis H** stated that they were not aware of widespread failures of plastic piping.
- h. **Shahriar A** questioned where the 16-inches and 12-inches come from and why the exception only applies to residential occupancies.
- i. **Mark G** commented that picking out sections out of a standard could leave out the nuance that goes along with it.

III. **Support**

- a. None

IV. **Opposition**

- a. **Dennis H, Shahriar A, and Mark G** expressed opposition.

**P306.3.1-24 James Walls (Non-Consensus)**

- I. **James W** provided an overview of the proposal.
- II. **Discussion**
  - a. **Dennis H** had the same comments as proposal P306.2.5-24. Also, the added costs were a concern of the PMG committee, specifically the added costs associated with third-party testing.
  - b. **Steve S** seconded that concern.
  - c. **Dan W** commented that the Engineer of Record language is not specific as to who that would be.
  - d. **Ron C** brought up that there are certain installations in Virginia that do not require an engineer, and testing can be submitted by a contractor.
  - e. **Michael D** reiterated his comments for proposal P306.2.5-24 regarding grade plane, which also applies to this proposal.
  - f. **Shahriar A** remarked that when the code sets certain standards for different types of materials, you follow the standard. It is not the place of the code to add additional requirements because of the type of material.
  - g. **Rick H** explained that engineers are not going to seal documents just because someone wants a seal. Engineers are going to have to be involved on many levels, otherwise they cannot legally seal it, and that adds serious cost.
- III. **Support**
  - a. None
- IV. **Opposition**
  - a. **Dennis H, Steve S, Shahriar A, and Rick H** expressed opposition.

**RP2903.10.1-24 Kyle Kratzer (Consensus for Approval)**

- I. **Kyle K** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Shahriar A** and **Dan W** expressed support
- IV. **Opposition**
  - a. None

## ENERGY CONSERVATION PROPOSALS

### EC-1301-24 William Penniman (Non-Consensus)

- I. **Bob S** provided an overview of the proposal.
- II. **Discussion**
  - a. **Eric L** pointed out that this proposal attempts to address a lot of the other things that are attempted in other later proposals on the agenda. What this proposal does is start Virginia on the path of catching up with the rest of the International Energy Conservation Code (IECC) which is several iterations behind.
  - b. **Sydney R** commented that SEEA has worked with the Pacific Northwest National Lab to do independent analysis of the impact of adopting the 2024 IECC on home buyers in Virginia and the payback is very short.
  - c. **Steve S** raised the concern that this proposal is getting rid of all the amendments that the Board has adopted trying to balance energy efficiency and affordability.
  - d. **Andrew C** stated that we have reached the point of diminishing returns by balancing energy efficiency with cost of living.
- III. **Support**
  - a. **Eric L, Sydney R, Justin K, and Jason V** expressed support
- IV. **Opposition**
  - a. **Steve S, Andrew C, Dennis H** representing himself, **Rick H** representing himself, and **Tread Willis** representing himself, expressed opposition.

### EC-C402.1.6(1)-24 William Penniman (Consensus for Approval)

- I. **Bob S** provided an overview of the proposal.
- II. **Discussion**
  - a. **Eric L** remarked that applying Appendix CD to F, S, and U buildings is comparable to the 2006 edition of the IECC which cuts roof insulation and wall insulation by 50%, 70% more heat loss through windows, and 2.6 times more heat loss through skylights. This proposal limits this approach to buildings that are not intended to be heated for human occupancy.
  - b. **Shahriar A** commented that Virginia has a bad habit of going back and amending things that the rest of the country has gotten rid of for decades and is in support of the previous proposal (EC1301-24).
  - c. **Andrew C** brought attention to the fact that this proposal does not apply to residential buildings.
- III. **Support**
  - a. **Eric L, Justin K, Jason V, and Sydney R** expressed support.
- IV. **Opposition**
  - a. None

#### **EC-C403.7.4.1-24 Tread Willis (Consensus for Approval as Modified)**

- I. **Tread W** provided an overview of the proposal which included a floor modification.
- II. **Discussion**
  - a. **Rick H** asked if this proposal lowers costs.
  - b. **Tread W** replied that it does.
  - c. **Bob S** asked for clarification on what the exception does.
  - d. **Tread W** replied that this applies to two over two units with no interior common space.
- III. **Support**
  - a. **Rick H** expressed support.
- IV. **Opposition**
  - a. None

#### **EC-C405.15-24 Steve Shapiro (Non-Consensus)**

- I. **Steve S** provided an overview of the proposal.
- II. **Discussion**
  - a. **Bob S** commented that there is a lot of room for exceptions and flexibility and does not see the need for the deletions.
  - b. **Joseph W** contributed that the section was shown to be cost effective by Pacific Northwest National Lab analysis.
- III. **Support**
  - a. **Rick H, Cory C, and Andrew C** expressed support.
- IV. **Opposition**
  - a. **Bob S and Joseph W** expressed opposition.

#### **EC-C405.17(1)-24 William Penniman (Non-Consensus)**

- I. **Bob S** provided an overview of the proposal.
- II. **Discussion**
  - a. **Sydney R** pointed out that the cost of electric vehicle infrastructure is less during new construction than doing it as a retrofit. It's about 400% less. It's also to supply equipment for multi-family buildings where residents may not have the power or authority to install equipment for themselves.
  - b. **Steve S** reiterated that a work group be formed to study all the issues around electric vehicle charging.
  - c. **Andrew C** raised the issue that electric vehicle infrastructure not only impacts the cost of a building but also land development for developers.
- III. **Support**
  - a. **Eric L, Sydney R, and Joseph W** expressed support.

IV. **Opposition**

- a. **Steve S, Andrew C, Rick H, Cory C, and D.A. Pierce** expressed opposition.

**EC-C409-24 William Abrahamson (Non-Consensus)**

I. **Florin M** provided an overview of the proposal.

II. **Discussion**

- a. **Jason V** added that Phius has been shown to save money.
- b. **Bob S** contributed that passive houses have lower energy bills and is a great option to add.
- c. **Steve S** noted that it is a proprietary system with a reference standard that may not comply with ICC requirements for reference standards.
- d. **D.A. Pierce**, representing himself, stated that during the Energy Sub-Workgroup it was discussed that there is no fair way to get to this option for compliance.

III. **Support**

- a. **Jason V, Bob S, and Paul M** expressed support.

IV. **Opposition**

- a. **Steve S, Dennis H** representing himself, **D.A. Pierce** representing himself, and **Shahriar A** expressed opposition.

**REC-R402.1.2-24 D.A. Pierce (Non-Consensus as Modified)**

I. **D.A. Pierce** provided an overview of the proposal.

**Jeff B** announced that there was a floor modification to this proposal, which was shared on the screen.

II. **Discussion**

- a. **Justin K** spoke in support of the floor modification and raised the concern that the existing requirement for R-13+1 does not provide enough exterior continuous insulation to avoid condensation issues in a wall cavity. Related to the cost of construction, he noted that using continuous insulation offers builders the opportunity to optimize their design, whether it be using continuous insulation that can also function as the air and water barrier, using that continuous insulation to offset the need for wood sheathing, or employing other wall bracing techniques. He acknowledged that the proposal would increase the cost of construction but offered that there are ways to address the increase. He further noted that, from a consumer standpoint, the proposal is cost effective for Virginia climate zones.
- b. **Eric L** commented that the current wall insulation requirements have been in place since the 2012 code cycle. Single family home permits in Virginia since the 2012 code cycle are around a quarter million. Meaning that many homes have been built to a standard that is well behind the model codes and will cost more to heat and cool. Wall insulation is also unlikely to be upgraded at any point during home's useful life.
- c. **Rick H** responded that this increases costs and that nobody has died due to homes

having less stringent insulation requirements than the current model codes.

- d. **Mark G** added that this would have a huge impact on the cost of a home because it would force builders to use 2x6 construction.
- e. **D.A Pierce**, speaking for himself, acknowledges that the proposal would increase the cost of construction, but the cost of energy would decrease over the life of the house.

III. **Support**

- a. **Justin K, Dennis H, Jason V, Eric L, Cory C, and Sydney R** expressed support.

IV. **Opposition**

- a. **Rick H, Mark G, and Andrew C** expressed opposition.

**REC-R402.1.2(1)-24 Eric Lacey (Non-Consensus)**

- I. **Eric L** provided an overview of the proposal.

II. **Discussion**

- a. **Sydney R** commented that builders are already doing it and know how to do it so there is no reason not to continue.
- b. **Cory C**, speaking for York County, lamented that he has granted a lot of modifications to use R-49 ceiling insulation and would like to see that requirement return as it does in the 2024 International Residential Code (IRC).
- c. **Michael D**, speaking for Albemarle County, echoed Cory C's statement.
- d. **Andrew C** confirmed that he is aware of a lot of localities doing code modifications to go back to R-49 insulation.
- e. **Rick H**, representing himself, also confirmed that a lot of building officials in his area are writing code modifications.
- f. **Kyle K**, representing himself, claimed that he would like to see an increase in wall insulation and a reduction in ceiling insulation.
- g. **Shahriar A** appreciated the thought of coming to a compromise but believed that Virginia cannot keep doing the same thing repeatedly.

III. **Support**

- a. **Sydney R, Bob S, Jason V, and Shahriar A** expressed support.

IV. **Opposition**

- a. **Cory C, Michael D, Andrew C, Rick H, and Kyle K** expressed opposition.

**REC-R402.1.2(2)-24 Eric Lacey (Non-Consensus)**

- I. **Eric L** provided an overview of the proposal.

II. **Discussion**

- a. **Bob S** commented that upfront costs exist, but the payback is quick and is a huge net positive.
- b. **Justin K** raised the concern that Virginia is several code cycles behind the current model codes, and these changes are real savings to homeowners. **Justin K** also expressed that

it is not realistic to believe that homeowners have the power to influence insulation requirements when purchasing a new home because those decisions are made well in advance of the buyer taking possession of the home and it is disingenuous to suggest that home buyers can just go out and buy efficiency.

- c. **Sydney R** pointed out that the payback period is only nine years.
- d. **Jason V** stated that a better building envelope makes the house more comfortable which could allow an owner to adjust the thermostat to a degree or two.
- e. **Andrew C** reiterated his stance that the upfront costs of homeownership outweigh energy efficiency cost increases that payoff in the future. Market demand is surging at price points that these proposals collectively are making infeasible to build.
- f. **Kyle K** representing himself, expressed support for proposal REC-R402.1.2-24 as opposed to this proposal because of where Virginia is regarding construction prices.

III. **Support**

- a. **Bob S, Justin K, Sydney R, and Jason V** expressed support.

IV. **Opposition**

- a. **Andrew C, Mark G, Kyle K, and Rick H** expressed opposition.

**REC-R402.1.2(4)-24 William Penniman (Non-Consensus)**

- I. **Bob S** declared that this proposal is very similar to the last proposal and did not see a need for discussion because the talking points would be the same.

**Jeff B** announced that if everyone wants to stand on their previous comments, this proposal will be marked as Non-Consensus.

**REC-R402.1.3-24 Andrew Clark (Withdrawn)**

**REC-R402.4.1.2-24 Eric Lacey (Non-Consensus)**

- I. **Eric L** provided an overview of the proposal.

II. **Discussion**

- a. **Sydney R** stressed that for the durability advantages to a tighter building envelope as insulation is increased, there also needs to be an increase in air tightness to keep the humid air out of building cavities. This is a risk mitigation measure for home builders.
- b. **Steve S** stated that he has been collaborating with **Eric L** on some things that might be able to be worked out. He noted that he will continue to work with **Eric L** prior to the Board meeting and remove their opposition if they are able to work out the issues. **Andrew C** echoed **Steve S's** comments.
- c. **D.A. Pierce** inquired if the proponent was open to adding an allowance for four air changes per hour for climate zones three through five for single- and two-family dwellings as an exception.
- d. **Mark G** commented that rarely are blower door test results below three air changes, and

to achieve that would require a significant number of callbacks to contractors to discover where the source of the leak is coming from.

III. **Support**

- a. **Bob S, Sydney R, and D.A. Pierce** expressed support.

IV. **Opposition**

- a. **Steve S, Andrew C, Mark G, and Rick H** expressed opposition.

**REC-R402.4.1.2(1)-24 William Penniman (Non-Consensus)**

- I. **Bob S** provided that this proposal was similar to proposal REC-R402.4.1.2 and there was no need to discuss.
- II. **Opposition**
  - a. **Andrew C** and **Steve S** expressed opposition.

**REC-R403.14-24 William Penniman (Non-Consensus)**

- I. **Bob S** provided an overview of the proposal.
- II. **Discussion**
  - a. **Steve S** emphasized that the code should not be legislating what people do in their bedrooms.
  - b. **Andrew C** agreed that a ceiling fan should be a consumer choice.
  - c. **Cory C** explained that the NEC does not require an overhead box to be installed in a bedroom. If a box is installed then it should be a ceiling fan rated box, but it is still not required equipment.
  - d. **Michael D** added that this would increase costs.
  - e. **Tread W**, speaking for himself, opined that the volume of lighting is more important than air flow.
- III. **Support**
  - a. None
- IV. **Opposition**
  - a. **Steve S, Andrew C, Michael D, Rick H, and Tread W** expressed opposition.

**REC-R404.1-24 Andrew Clark (Non-Consensus)**

- I. **Andrew C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Bob S** pointed out that this proposal seems to be a reduction with no offsetting tradeoff.
  - b. **Joseph W** remarked that this section already has four exceptions.
  - c. **Sydney R** brought up that this proposal was discussed at the Energy Sub-Workgroup meeting and there were no strong reasons or good examples of why this would be necessary and that it would probably be more expensive to buy less efficient bulbs.

- III. **Support**
  - a. None
- IV. **Opposition**
  - a. **Bob S, Joseph W, and Sydney R** expressed opposition.

**REC-R404.2-24 Andrew Clark (Non-Consensus)**

- I. **Andrew C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Steve S** supported the proposal in the name of individual choice.
  - b. **Cory C** explained that energy savings are negligible.
  - c. **Bob S** declared that he did not see any justification for further eroding the standards.
- III. **Support**
  - a. **Steve S, Cory C, Ryan C, and Rick H** expressed support
- IV. **Opposition**
  - a. **Bob S and Joseph W** expressed opposition.

**REC-R404.5-24 William Penniman (Non-Consensus)**

- I. **Bob S** provided an overview of the proposal.
- II. **Discussion**
  - a. **Sydney R** mentioned that several municipalities are starting to incorporate this into their local ordinances, so it makes sense to have a statewide code for consistency.
  - b. **Steve S** reminded the group that the codes are supposed to be the minimum codes to protect health, safety, and welfare and now we are going to tell everybody they must supply electric vehicle spaces and equipment. **Steve S** also added that electric vehicle language is in Appendix RE, and the whole purpose of the appendices is for people to adopt them if they want and not make the appendices part of the code.
- III. **Support**
  - a. **Sydney R and Joseph W** expressed support.
- IV. **Opposition**
  - a. **Steve S, Rick H, Cory C, Tread W, and Andrew C** expressed opposition.

**REC-R405.2-24 Eric Lacey (Non-Consensus)**

- I. **Eric L** provided an overview of the proposal.
- II. **Discussion**
  - a. **D.A. Pierce** acknowledged that it is less stringent with the limits that were offered up by the proponent, but most builders do not build to software simulation. VBCOA was opposed to any tradeoffs or allowances based on equipment efficiencies written in the code.

- III. **Support**
  - a. **Bob S, Jason V, and Sydney R** expressed support.
- IV. **Opposition**
  - a. **D.A. Pierce and Rick H** expressed opposition.

**REC-R405.2(2)-24 Eric Lacey (Non-Consensus)**

- I. **Eric L** provided an overview of the proposal.
- II. **Discussion**
  - a. **Jason V** stated that it is shortsighted to trade off building equipment such as mechanical or lighting for a building component that will last forever.
  - b. **Justin K**, referring to some of his earlier comments, indicated that this is getting into that consumer protection, delivering something to the owners that they may have very little control over; therefor he supports the modest efficiency this proposal is after.
  - c. **Sydney R** explained that the importance of a backstop cannot be overstated and supports having a performance path that allows flexibility.
  - d. **D.A. Pierce** opposed any modifications to the software simulated path of compliance and wanted to leave in place any flexibility that exists.
  - e. **Eric L** clarified that the performance path uses Virginia's prescriptive baseline as its foundation, so if we don't modify this, then we are allowing the Virginia prescriptive path to weaken the software model. This proposal is trying to bring the software modeling back up to an equivalent level to an unamended 2024 IECC and not something less than code.
- III. **Support**
  - a. **Jason V, Justin K, and Sydney R** expressed support.
- IV. **Opposition**
  - a. **D.A. Pierce** expressed opposition.

**REC-R408.2.9-24 Eric Lacey (Non-Consensus)**

- I. **Eric L** provided an overview of the proposal.
- II. **Discussion**
  - a. **D.A. Pierce** remarked that equipment can change but the thermal envelope remains the same and should not be reduced.
- III. **Support**
  - a. **D.A. Pierce and Jason V** expressed support.
- IV. **Opposition**
  - a. **Andrew C** expressed opposition.

**VIRGINIA CERTIFICATION STANDARDS (VCS) AND VIRGINIA AMUSEMENT DEVICE  
REGULATIONS (VADR) PROPOSALS**

**CS10-24 – DHCD Staff (Consensus for Approval)**

- I. **Florin M** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Steve S** and **Andrew C** expressed support.
- IV. **Opposition**
  - a. None

**CS51-24 – DHCD Staff on behalf of the Building Code Academy Advisory Committee (BCAAC)  
(Consensus for Approval)**

- I. **David S** provided an overview of the proposal.
- II. **Discussion**
  - a. **Tread W** declared that four more hours per year on average is a small ask to ensure that we are doing the minimum requirements to ensure that we have a safe place to live, work, and play for everybody here in Virginia.
  - b. **Dennis H** added that it is easier than ever to get continuing education hours with different online education, webinars, etc.
  - c. **Kyle K** noted that anybody who is here today and tomorrow almost satisfies the two-year requirement for their continuing education.
- III. **Support**
  - a. **Tread W, Cory C, Dennis H, Andrew M, Ryan C, Kyle K, and Rick H** expressed support.
- IV. **Opposition**
  - a. None

**AD40-24 – DHCD Staff on behalf of the Amusement Device Technical Advisory Committee (ADTAC)  
(Consensus for Approval)**

- I. **Jeff B** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Ryan C** and **Rick H** expressed support.
- IV. **Opposition**

- a. None

**AD40(1)-24 – Victoria Baselice (Withdrawn)**

**AD75-24 – Cory Carney (Consensus for Approval)**

- I. **Cory C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Florin M** alerted the stakeholders that ADTAC had been added as a co-proponent but the agenda that was sent out did not reflect that.
- III. **Support**
  - a. None
- IV. **Opposition**
  - a. None

## **General Stakeholder Workgroup Meeting**

### **Final Meeting Summary Day 2**

**Date: January 6, 2026**

**Location: 4224 Cox Rd, Glen Allen, VA 23060 - Virginia Housing Center**

**Time: 9:00 AM**

#### **Attendees:**

##### **VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director of Building and Fire Regulation
- **Florin Moldovan** – State Building Codes Office Director
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office
- **Brian Hilderbrand** – Construction Regulation Administrator
- **Chad Lambert** - Code and Regulation Specialist, State Building Codes Office
- **Thomas King** - Code and Regulation Specialist, State Building Codes Office
- **Travis Luter** – Code and Regulation Specialist, State Building Codes Office
- **Rajan Eng** - Training and Development Specialist, Virginia Building Code Academy
- **Stephen Reynolds** - Training and Development Specialist, Virginia Building Code Academy
- **Joseph Dennie** - Policy Analyst, Policy and Legislative Services
- **Kenrick Cameron** - Policy Analyst, Policy and Legislative Services

#### **Stakeholders:**

- **Alyssa Brown** – Changing Tables
- **Andrew Clark** – Home Builders Association of Virginia (HBAV)
- **Andrew Milliken** – Stafford County Fire Marshal’s Office, Virginia Fire Services Board (VFSB) Codes and Standards Committee
- **Angela Navarro** – Virginia League of Conservative Voters
- **Chris Barfield** – University of Virginia, Building Official’s Office
- **Chris Reynolds** – Atlantic Builders
- **Chris Sampl** - Fairfax County, Office of the Fire Marshal
- **Dan Boyle** - Hemphiciency
- **Dan Willham** – Fairfax County, Virginia Building and Code Officials Association (VBCOA)
- **David Beahm** – Warren County, VBCOA
- **David Sharp** – Fairfax County
- **Delegate Elizabeth Bennett-Parker** – Virginia House of Delegates 2025, 5th District
- **Delegate Paul Milde** - Virginia House of Delegates 2025, 64th District

- **Dennis Hart** – Virginia Plumbing and Mechanical Inspectors Association (VPMIA), VBCOA PMG Code Committee
- **Doug Banks** – Henrico County
- **Duru Meric** - Amazon
- **Francie Mitchell** – Children’s Assistive Technology Services (CATS)
- **Gregg Black** – George Mason University
- **Gregg Fields** – City of Alexandria
- **Heather Wasnick** - Amazon
- **James Walls** - Cast Iron Soil Pipe Institute (CISPI)
- **Jared Hoernig** – Virginia Emergency Management Association
- **Jason Laws** – Chesterfield County, VBCOA
- **Jen Hackney** – Changing Tables
- **Joseph Wages Jr.** – National Electrical Manufacturers Association (NEMA)
- **Joshua Jones** – Henrico County
- **Kara Alley** – Home Builders Association of Virginia (HBAV)
- **Kelsey Wright** - Virginia House of Delegates 2025, 5th District
- **Kyle Kratzer** – Fairfax County, Vice President of VBCOA
- **Maggie Davison** – Virginia Distributed Solar Alliance
- **Mark Graver** – City of Waynesboro, VBCOA Region III
- **Mark Price** – City of Martinsville
- **Matthew Robinson** - Spotsylvania County, VFSB
- **Michael Dellinger** – Albemarle County, VBCOA Region IV
- **Mike O’Connor** – Virginia Petroleum and Convenience Marketers Association (VPCMA), Virginia Propane Gas Association (VAPGA)
- **Monica Thrower** – Changing Spaces Campaign
- **Nicholas Bowles** – Halifax County
- **Paul Messplay** – Hanover County
- **Ricky Davis** - Rockingham County
- **Richard Hankins** – Partnership for Smarter Growth
- **Ron Clements** – Chesterfield County, VBCOA Admin and Existing Building Code Committees
- **Russell Furr** – City of Alexandria Fire Marshal’s Office
- **Sarah Thomas** – Virginia Association for Commercial Real Estate (VACRE)
- **Scott McStacy** – Seed to Structure
- **Shahriar Amiri** – Arlington County
- **Sonal Shah** – Northern Virginia Bird Alliance
- **Steve Shapiro** – Apartment & Office Building Association of Metropolitan Washington (AOBA), Virginia Apartment and Management Association (VAMA)
- **Sydney Roberts** – Southeast Energy Efficiency Alliance (SEEA)
- **Tom Blackburn** – Northern Virginia Bird Alliance

- **Tony Gardner** – Cast Iron Soil Pipe Institute (CISPI)
- **Trieste Lockwood** – Permit Power
- **William “Rick” Hinson** – American Council of Engineering Companies (ACEC)

## **Virginia Construction Code (VCC) PROPOSALS**

### **B101.2(2)-24 – Angela Navarro (Non-Consensus)**

- I. **Angela N** provided an overview of the proposal.
- II. **Discussion**
  - a. **Sydney R** expressed that decisions regarding electric vehicle ready infrastructure are typically made before there is a buyer for a home. The buyer will be facing a much higher cost to install equipment after the home is built. One point that was discussed yesterday was the system’s impact. Including this in the code is important and initiates the conversation with the utility company. If the impact is unsurpassable with the utilities, then you get a pass.
  - b. **Steve S** reiterated that a work group should be formed to study all the issues around electric vehicle charging. Until such time when the workgroup is stood up, they are in opposition.
  - c. **Andrew C** highlighted that the cost drivers of electric vehicle ready infrastructure occur in the land development process. Utilities gold plate infrastructure requirements to accommodate new subdivisions or new multi-family buildings that are going to be equipped with electric vehicle charging stations. That is the opposite of what a lot of localities are trying to promote, which is walkable, denser communities, and smaller lot subdivisions that have less of an infrastructure impact and less of an impact on the natural environment around it. He suggested that the focus should be on trying to figure out how to get utilities to right size their infrastructure requirements, so from a construction and land development perspective, we can incorporate these changes with minimal impact to the consumer and builder.
  - d. **Ron C** questioned whether electric vehicle charging stations in a parking lot are within the scope of the uniform statewide building code.
  - e. **Rick H** expressed concern with dealing with fire from electric vehicles and how increasing costs affect affordable housing.
  - f. **Mark G** stated that the electric vehicle appendix has specific provisions that leave the owner out of the decision-making process. There are a lot of design decisions that go into putting in electric vehicle infrastructure and the appendix makes those

decisions for you. **Mark G** believed that a code that narrows things down to only one pathway is not a good code.

- g. **Angela N** brought up that utility companies can proactively plan for infrastructure to support a new community that might have higher load because of future electric vehicles. **Angela N** agreed with **Andrew C** that there needs to be communication with the State Corporation Commission around the question of whether the utilities are gold plating infrastructure.
  - h. **Chris R** seconded **Rick H's** concerns with affordability.
  - i. **Rick H** stated that he doesn't want to have to pay for something that he will never use and that the code is intended to create safety at the lowest cost.
  - j. **Shahriar A** chimed in that at some point Virginia needs to move forward with this to some degree.
- III. **Support**
- a. **Sydney R** and **Joseph W** expressed support
- IV. **Opposition**
- a. **Steve S, Andrew C, Ron C, Rick H, Mark G,** and **Chris R** expressed opposition.

#### **B103.5-24 – David Beahm (Non-Consensus)**

- I. **David B** provided an overview of the proposal.
- II. **Discussion**
  - a. **Michael D** stated that keeping the section untouched is necessary.
  - b. **Ron C** agreed with **Michael D** and felt it takes away his ability to work with the agencies involved in functional design. **Ron C** also believed that there may be a legal conflict as state law requires them to coordinate with the health department for sewage disposal systems before issuing permits.
  - c. **Doug B**, speaking for himself, voiced that the proposal appears to allow the beginning of construction without having the proper sanitary facilities.
- III. **Support**
  - a. None
- IV. **Opposition**
  - a. **Michael D, Ron C,** and **Doug B** expressed opposition.

#### **B103.7-24 – DHCD Staff (Consensus for Approval)**

- I. **Jeff B** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Michael D** expressed support.
- IV. **Opposition**
  - a. None

**B105.2-24 – DHCD Staff (Consensus for Approval)**

- I. **Jeff B** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Ron C** expressed support.
- IV. **Opposition**
  - a. None

**B107.1-24 – David Beahm (Non-Consensus)**

- I. **David B** provided an overview of the proposal.
- II. **Discussion**
  - a. **Andrew C** asked if the provision comes out of state law.
  - b. **David B** responded that it does.
  - c. **Andrew C** questioned if building code can get ahead of state law.
  - d. **Jeff B** replied that if a proposal goes to the Board that conflicts with state law, the proposal will be sent to the attorney general for them to weigh in and advise the Board if there is a potential conflict.
  - e. **Ron C** added that this proposal would require a bill since the code section specifically calls out the state law that this comes from.
- III. **Support**
  - a. None
- IV. **Opposition**
  - a. **Ron C, Michael D, Dan W, and Shahriar A** expressed opposition.

**B109.2-24 – David Beahm (Non-Consensus)**

- I. **David B** provided an overview of the proposal.
- II. **Discussion**
  - a. **Steve S**, speaking for himself, highlighted the following concerns for new one- and two- family dwellings:
    - i. Section 109.2 Exception 1 - Eliminating the requirement for the elevation of the lowest floor from a Site Plan because this information is necessary in a special flood hazard area.
    - ii. Section 109.4 Exception – Eliminating the requirement to review the plans.
    - iii. Section 109.5 Exception – Same reason as Section 109.4 exception.
    - iv. Section 113.7.2 Exception – RDP as an approved third-party inspector.
    - v. Section 116.1 Exception 3 – Certificate of occupancy issued at the time of

permit issuance.

- b. **Andrew M** pointed out that new Exception 2 in Section 109.2 uses the word “generally, and in the new exception in Section 109.4 a Class A contractor cannot be a design professional because the Class A contractor is not an individual and cannot stamp and sign drawings. **Andrew M** questioned what date do you put on the Certificate of Occupancy under new Exception 3 in Section 116.1. Is it the date when the permit is issued before the inspections are done, or after the final inspections have been approved?
- c. **Ron C** indicated that VBCOA Admin Committee is also in opposition based on all the reasons already stated by others.

III. **Support**

- a. None

IV. **Opposition**

- a. **Steve S, Shahriar A, Michael D, Andrew M, and Ron C** expressed opposition.

**B109.3.1-24 Duru Meric (Non-Consensus)**

- I. **Duru M** provided an overview of the proposal and the associated floor modification.

II. **Discussion**

- a. **Ron C** questioned what happens when a Registered Design Professional (RDP) is not involved. There are several building types that Virginia allows to be designed without an RDP being involved. **Ron C** did not see the value in this proposal as it adds more confusion and probably adds more time than it saves.
- b. **Duru M** responded that not having deferred submittal language is causing confusion on the authority having jurisdiction’s (AHJ) side and the architect’s side as to when those submittals should be submitted. The industry standard is to have them submitted by the general contractor or the licensed professionals preparing them, not by the Architect of Record (AOR) or the Structural Engineer of Record (SEOR).
- c. **Shahriar A** conceded that this is a real issue because of ambiguity and what is acceptable to submit to one jurisdiction should be good enough for all the others. However, **Shahriar A**, speaking for himself, was opposed to the term, “are not limited to”, in the proposal.

III. **Support**

- a. None

IV. **Opposition**

- a. **Ron C, Shahriar A, and Michael D** expressed opposition.

**B109.4-24 – Delegate Paul Milde (Non-Consensus)**

- I. **Delegate Paul M** provided an overview of the proposal.

**Jeff B** noted that a Study Group on Expediting Permits and Certificates of Occupancy was convened during this code development cycle. The group’s discussions and feedback directly

informed the development of this proposal.

## II. Discussion

- a. **Chris R** voiced to the group to consider assigning timelines, not just for the benefit of the builder but also the consumer.
- b. **Andrew M**, representing himself, believed that the proposal provides reasonable improvements to processes and notifications.
- c. **Ron C** expressed mild opposition to the current version of the proposal. VBCOA Admin Committee had additional concerns with the original version of the proposal, and thanked **Delegate Milde** for being open to their input. **Ron C** noted that after careful consideration they still have some concerns over how the role of the third-party process would work, whether adequate reviews could be handled by third-party for everything that is required to be reviewed, as well as some concerns with the timeframes.
- d. **Michael D** stated opposition except for third-party reviews. The time frames in the proposal are unrealistic for small one-man shops. This is fine if a project is on a public water sewer system, but they cannot dictate to the applicant that they have to have concurrent Virginia Department of Health or a Virginia Department of Transportation approval.
- e. **Rick H** agreed with **Michael D** and added that fixed timelines will not fix the problem. There is a time problem.
- f. **Shahriar A** reminded the group that yesterday there was non-consensus for raising fees for state fire marshal services. Those fees are going to provide additional staffing levels to do it faster. This proposal is an unfunded mandate. Code officials have an ethical responsibility not to just rubber stamp for the sake of meeting a timeline.
- g. **Mark G** declared that he is a small shop and he is the only one doing plan reviews. If he goes on vacation, he could be in violation of this proposal.
- h. **Dan W** had concerns over the “other structures” deadline because his locality gets really big projects at a time and being required to meet a timeline mandated by law is troubling.
- i. **Gregg F** disagreed with the Cost Impact statement that the proposal would not increase or decrease cost. Cost will either be increased by increased staff to meet the timelines, or the cost of third-party review. **Gregg F** also highlighted that it is much easier to change things on paper than out in the field. If things get missed in plan review and require tearing out stuff in the field, that will be costly as well.
- j. **Delegate Paul M** countered that the costs can be passed down to the applicants, so he was not convinced that it is an affordability issue. The term “within a reasonable time” is not a fair way to approach permits and creating predictability is a fair thing to do to your customers. If the timelines are the issue, he is open to discussing what they should be. Creating predictability creates more affordability.
- k. **David B** pointed out that they are not allowed to increase fees arbitrarily to pass costs along. Fees must be approved, and most jurisdictions are not going to

increase fees.

- I. **Mark G** asserted that in order to determine a correct timeline, the nature of applications coming in waves needs to be factored in. There could be a quiet period and then a very busy period where these timelines can't be met. Small departments would need to have a part-time staff member to help when needed.

III. **Support**

- a. **Chris R, Andrew M, and Andrew C** expressed support.

IV. **Opposition**

- a. **Ron C, Michael D, Rick H, Shahriar A, Mark G, Dan W, Gregg F, and David B** expressed opposition.

**B109.4(1)-24 – Anthony Smith (Non-Consensus)**

- I. **Maggie D** provided an overview of the proposal.

II. **Discussion**

- a. **Ron C** expressed that this proposal prohibits plan review of solar installations. These could be huge installations with significant electrical and fire safety impacts on buildings. Effectively, the contractor will be able to self-certify their own code compliance. This really sets a dangerous precedent and what justifies this over other types of equipment?
- b. **Dan W** added that this proposal would allow any system to be put on an existing roof without any kind of structural evaluation to see if the existing roof can hold the new load.
- c. **Maggie D** countered that they are submitting a stamped structural letter, racking plan, and electrical plans. What they are finding is there are different interpretations of what existing building code needs to be applied. These are not permanent fixtures. **Maggie D** further explained that what they are seeking is consistency across localities and questioned if the people reviewing these projects have the qualifications to understand what they are looking at.
- d. **Shahriar A** highlighted that the proposal does not require a structural drawing sealed and signed by an RDP. The RDP required in the exception could be an electrical engineer that has nothing to do with a structural evaluation. The other things to worry about are fire fighter access to the roof and for access for maintenance of the equipment.
- e. **Michael D** contributed that class A contractors in his area that install solar equipment have no clue what firefighter access is. Giving them carte blanche is a bad idea.
- f. **Andrew M** suggested concern over using the term "rooftop electrical equipment". If the proponent is talking about photovoltaic (PV) equipment, then call it that.

III. **Support**

- a. **Trieste L** expressed support.

IV. **Opposition**

- a. **Ron C, Rick H, Dan W, Shahriar A, Andrew M, Kyle K, Michael D, and Andrew M** expressed opposition.

### **B113.6-24 – Andrew Clark (Non-Consensus)**

- I. **Andrew C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Shahriar A** commented that this is how the code should be administered.
  - b. **Kyle K** explained that he advocates to the students in his Virginia Building Code Academy classes to include code sections on their inspection results and plan reviews.
  - c. **Andrew M**, speaking for himself, notes that this has been a fire code requirement for a long time.
  - d. **Dave S** noted that this is a much-needed change and echoed **Kyle K** in that this is what is taught in Core.
  - e. **Michael D** objected to the Cost Impact statement that the proposal will decrease the cost because it will cost his jurisdiction a lot of money to include code sections with the code language because the current software they use cannot do that.
  - f. **Andrew M** commented that the proposal is just calling for a reference to a code section not the code section language verbatim.
  - g. **Andrew C** agreed with **Andrew M** that that was the intent.
  - h. **Michael D** stated that he does not like the idea of adding the code section number because that opens it up to an appeal if the wrong code section is cited. **Michael D** also highlighted that citing code sections is going to slow down inspections and increase cost.
  - i. **Andrew C** countered that it should save time and money by not having to go back and forth communicating with the builder.
  - j. **Shahriar A** called out that it is the code enforcers' duty and responsibility to cite the code they are enforcing.
  - k. **Ricky D** emphasized that small localities have combination inspectors and must deal with many different types of inspections on a job. It would slow them down to have to stop and look everything up. Many builders and homeowners do not even have code books, so they won't understand the code sections anyway.
  - l. **Andrew C** believed that giving a builder some more information will give them something to focus on which will result in less back and forth and may result in less re-inspections.
  - m. **Mark G** echoed **Ricky D's** comments and added that a lot of contractors do not want to know the code sections, they just want to be told what to do.
  - n. **Matthew R**, speaking for himself, reminded the group that any document that code enforcers put forth is a legal document and they are not fully executing their job if they are not stating the code.
- III. **Support**

- a. **Shahriar A, Kyle K, Steve S, Andrew M** representing himself, **Dave S, Rick H, Chris B,** and **Ron C** expressed support.

IV. **Opposition**

- a. **Michael D, Ricky D, David B, Gregg F,** and **Mark G** expressed opposition.

**B113.7-24 – Andrew Clark (Non-Consensus)**

- I. **Andrew C** provided an overview of the proposal.

II. **Discussion**

- a. **Trieste L** conveyed that the intent is to streamline third party inspection processes for rooftop-mounted photovoltaic (PV) systems.
- b. **Shahriar A** questioned why there is a carve out for PV systems. Shahriar A also brought up that building officials cannot issue a code violation based on a photograph that someone else provides.
- c. **Andrew M**, speaking for himself, asked the proponent to clarify the intent, explaining that as written, the proposal appears to mandate the acceptance of third-party inspection reports (which could include videos or photos) if the jurisdiction does not allow photographs or videos as part of the inspection by the locality. He noted that the concept floated around before is, if the jurisdiction cannot meet the timeline for the inspection, then they must allow third party inspections, but the proposal does not say that.
- d. **Trieste L** explained that the intent was that if the building department offers remote inspection, then you would need to have a third-party policy. She agreed that it could benefit from rewording.
- e. **Andrew M** shared concern that photographs and videos are not tests and inspections.
- f. **David B** expressed opposition to the language requiring three working days for third-party applications.
- g. **Mark G** clarified that a photograph and a videotape do not constitute a report.
- h. **Michael D** voiced concern over the proposal taking away the building official's ability to approve third party inspection agencies and what the minimum requirements they must meet. **Michael D** also had concerns over licensure as a Registered Design Professional (RDP), being a qualifying criterion for a third-party inspector as there are plenty of RDPs who know nothing about building code.

III. **Support**

- a. None

IV. **Opposition**

- a. **Shahriar A, Ron C, Andrew M, David B, Mark G,** and **Michael D** expressed opposition.

**B119.5(1)-24 – Eric Mays (Consensus for Approval)**

- I. **Florin M** provided an overview of the proposal.

- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Steve S** representing himself, **Shahriar A, Dan W, Dennis H** representing himself, **Michael D,** and **Gregg F** expressed support.
- IV. **Opposition**
  - a. None

**B202-24 – Allison Cook (Consensus for Approval as Modified)**

- I. **Ron C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Dan W** introduced a friendly amendment to change the “dead end” definition to “dead end corridor”.
  - b. **Ron C** confirmed that **Allison C** was in support of the change.
- III. **Support**
  - a. **Steve S, Shahriar A, Kyle K,** and **Andrew M** expressed support.
- IV. **Opposition**
  - a. None

**B302.1-24 – Kenny Hackworth (Consensus for Approval)**

- I. **Florin M** provided an overview of the proposal.
- II. **Discussion**
  - a. **Dan W** commented that he doesn’t think the changes to Section 302.1 are necessary.
  - b. **Florin M** replied that this was done just for correlation.
  - c. **Dan W** noted that exceptions to other occupancies are not delineated in this list.
  - d. **Shahriar A** proposed a friendly amendment.
  - e. **Florin M** mentioned that DHCD Staff could have put the revisions in the base document but left it as a proposal since it was already submitted. Item 2 was added for correlation for what was already in Item 6 and Item 8. **Florin M** asked for confirmation of what the floor modification is.
  - f. **Shahriar A** responded to take out “State Regulated Care Facilities (SRCFs)” wherever they appear.
  - g. **Florin M** suggested not having changes to Section 302.1.
  - h. **Shahriar A** removed his friendly amendment.
  - i. **Dan W** proposed to not add “313 for State Regulated Care Facilities (SRCFs)” under B.
  - j. **Jeff B** asked the group if they were okay with supporting the proposal as is and stated that it might be better to clean up later.

- III. **Support**
  - a. **Dan W** and **Andrew M** expressed support.
- IV. **Opposition**
  - a. None

**B406.2.7-24 – Ernie Little (Consensus for Approval)**

- I. **Andrew M** provided an overview of the proposal.
- II. **Discussion**
  - a. **Mark G** asked if the 2026 National Electrical Code (NEC) will have these provisions in it, particularly signage.
  - b. **Andrew M** replied that the proposal is close to what is in the NEC but did not remember if signage requirements are in the 2026 NEC.
  - c. **Mark G** indicated that it is important to make sure that the proposal is not conflicting with the NEC.
  - d. **Andrew M** noted that this proposal has more flexibility, particularly the language requiring the emergency disconnect to be within sight of the equipment which gives the option to identify which charging stations are controlled by which emergency disconnects.
- III. **Support**
  - a. **Michael D, Russell Furr, Chris Sampl, and Matthew R** expressed support.
- IV. **Opposition**
  - a. None

**B406.2.7(1)-24 – Andrew Milliken (Consensus for Approval)**

- I. **Andrew M** provided an overview of the proposal.
- II. **Discussion**
  - a. **David B** asked if the referenced UL 2750 and NFPA 88A standards are already incorporated into ICC.
  - b. **Andrew M** responded that he did not believe that they are incorporated into ICC as standards.
  - c. **Doug B** asked how this will look in the future with existing parking garages where electric vehicle charging stations get installed.
  - d. **Andrew M** responded that you would start with the Existing Building Code and then must comply with the current standards of the Virginia Construction Code (VCC).
  - e. **Mark G** asked how many vehicle fires referenced in **Andrew M's** introduction of the proposal were in sprinklered buildings.
  - f. **Andrew M** replied that he did not know, but more parking garages are now incorporating sprinklers. The ICC recently lowered the threshold for when sprinklers are required due to changing materials in cars from mostly metal to more plastics and foams.

- g. **Shahriar A** notified the group that ICC had an ad hoc committee to deal with energy storage unit mobility devices, and we will probably see some changes appear in Chapter 12 of the 2027 International Fire Code (IFC).

III. **Support**

- a. **Steve S, Matthew R, and Shahriar A** expressed support

IV. **Opposition**

- a. None

**B407.4.1.1-24 – Eric Mays (Consensus for Approval)**

- I. **Florin M** provided an overview of the proposal.

II. **Discussion**

- a. **Dan W** stated that the model code has progressed far past where the Virginia amendment was and it is much better to bring in the model code language.

III. **Support**

- a. **Dan W** and **Andrew M** expressed support

IV. **Opposition**

- a. None

**B706.3-24 – Shahriar Amiri (Non-Consensus)**

- I. **Shahriar A** provided an overview of the proposal.

II. **Discussion**

- a. **Dan W** argued that the proposal conflicts with existing provisions for fire walls which can allow the use of Fire Retardant Treated (FRT) lumber.
- b. **Shahriar A** countered that UL or Warnock Hersey have not tested any assemblies using FRT, so you cannot just use FRT to build a fire wall.
- c. **Andrew M** expressed that the proposal basically deletes the section and doesn't add anything.

III. **Support**

- a. None

IV. **Opposition**

- a. **Dan W** and **Andrew M** expressed opposition.

**B907.5.2.1.2-24 – Richard Gordon (Non-Consensus)**

- I. **Paul M** provided an overview of the proposal.

II. **Discussion**

- a. **Steve S** asked how much per square foot this proposal would increase cost.
- b. **Paul M** replied that he did have that information.

- c. **Andrew M** summarized his understanding to be that a switch would be integrated with the building operation system to shut down the ambient noise.
  - d. **Gregg Black** asked how this system is going to tie into sound systems that are brought into A occupancies as part of the traveling shows and are not permanently built into the building.
  - e. **Shahriar A** suggested that the visible alarms requirement in the code section are the solution.
  - f. **Andrew M** contributed that he does not believe the intent was to apply the requirements to temporary arrangements and configurations. An argument can be made that the average ambient noise is not going to be greater than 105 dBA for most events, and the ambient noise will only be greater than 105 dBA occasionally which would negate this requirement from kicking in.
  - g. **Michael D** commented that this system would reduce the voice emergency response volume.
- III. **Support**
- a. **Dan W** and **Andrew M** expressed support.
- IV. **Opposition**
- a. **David B** expressed opposition.

**B917.1.1-24 – Gregg Black (Non-Consensus)**

- I. **Gregg B** provided an overview of the proposal which is a variation of proposal B917.1, which was heard during the October General Stakeholder Workgroup Meeting.
- II. **Discussion**
  - a. **Jared H** stated that this proposal connects the code official with a campus subject matter expert.
  - b. **Chris B** noted that the University of Virginia is already doing this.
  - c. **Dan W** expressed that this is not something building officials should be regulating.
- III. **Support**
  - a. **Jared H, Chris B,** and **Andrew M** representing himself, expressed support.
- IV. **Opposition**
  - a. **Dan W** expressed opposition.

**B918.1-24 – Matthew Bonifant (Non-Consensus as Modified)**

- I. **Chris Sampl**, on behalf of the proponent, provided an overview of the proposal and the associated floor modification. **Florin M** brought awareness to the group that DHCD staff has not had an opportunity to thoroughly review the floor modification due to the timing of submittal, and invited stakeholders to review the floor modification thoroughly.
- II. **Discussion**

- a. **Gregg F** expressed relief that the proposal shifts the acceptance testing responsibility from the locality to the owner.
- b. **Dan W** drew attention to the fact that his locality has done building code modifications to allow wireless communication systems.
- c. **Steve S** explained that the prior code split the responsibility between the owner and the locality. Now the responsibility is all on the owner and it is a huge cost that includes fees and maintenance tests.
- d. **Chris Sampl** pointed to Exception 6 of Section 918.1 and clarified that the intent is for all jurisdictions to opt out if they don't want to have in-building communication requirements.
- e. **Ron C** indicated that jurisdictions requiring these systems are doing so outside of the requirements of the current code, and that Exception 6, as modified, is not doing what is being claimed it is doing. **Ron C** elaborated the way the proposal is currently written does not get the locality out of a requirement.

III. **Support**

- a. **Andrew M, Russell F, Gregg F, Dan W, and Shahriar A** expressed support.

IV. **Opposition**

- a. **Steve S** and **Ron C** expressed opposition.

**B918.2-24 – Matthew Bonifant (Non-Consensus as Modified)**

- I. **Chris Sampl**, on behalf of the proponent, provided an overview of the proposal and the associated floor modification. **Florin M** brought awareness to the group that DHCD staff has not had an opportunity to thoroughly review the floor modification due to the timing of submittal, and invited stakeholders to review the floor modification thoroughly.
- II. **Discussion**
  - a. **Doug B** asked how this proposal differs from the present requirement for non-required equipment.
  - b. **Andrew M** explained that the difference between this proposal and the previous proposal is that this proposal establishes if a building owner chooses to provide non-required equipment, the acceptance testing of that equipment is now not the responsibility of the locality.
  - c. **Chris Sampl** added that the proposal provides an avenue for wireless emergency communication without having to get a code modification. The majority of the country already allows wireless communication.
  - d. **Steve S** remarked that if the system is voluntary then there is no opposition.
  - e. **Ron C** indicated that voluntary systems are already allowed in the code and there is no need for code sections all over the code covering maintenance and testing requirements for voluntary systems.
  - f. **Andrew M** countered that the code as currently written does not simply allow voluntary emergency communications without adding responsibility to both the owner and the locality. This takes responsibility off the locality since it is voluntary.

- g. **Ron C** stipulated that if the locality is not providing equipment, you're exempt from this section. Electively installing it, does not undo Exception 6.
  - h. **Shahriar A** questioned why this section is different from anything else that is voluntary as addressed in Chapter 1. If you provide stairs that are not required, they still must meet certain safety criteria.
  - i. **Gregg F** mentioned that it is hard to grasp a voluntary code requirement where the voluntary requirement is not an exception to a mandatory requirement.
- III. **Support**
- a. **Andrew M, Chris Sampl, and Steve S** expressed support.
- IV. **Opposition**
- a. **Ron C** and **Gregg F** expressed opposition.

**B1006.3.4(1)-24 – Andrew Clark (Non-Consensus)**

- I. **Andrew C** provided an overview of the proposal.
- Jeff B** announced to the stakeholders that this proposal is similar to proposal B1006.2.1(1)-24, which was already heard at a previous General Stakeholder Meeting. When there are similar proposals, regardless of whether it is Consensus for Approval or Non-Consensus, DHCD staff will flag those for the Board.
- II. **Discussion**
- a. **Andrew M** asked if the proposal was submitted by the Home Builders Association.
  - b. **Andrew C** confirmed that it was.
  - c. **Richard H** stated that single stair reform is a valuable tool to solve our affordable housing issue. There was a study done in Minnesota that found that an eight-story single stair building with 6,000 square feet per floor had a lower fire risk than an eight-story building that has two staircases.
  - d. **Dan W** expressed opposition and recommended relying on what has been approved at the national level and with the study group that Virginia put together. The additional provisions that this proposal provides do not appear to be equivalent to providing compensation for the additional height and occupant load for a single exit.
  - e. **Andrew M** expressed frustration that what is in this proposal was not included in the discussions that were had, and provided thirteen specific reasons why this proposal is not good for Virginia.
    1. Section 1006.2.1 is for exits from rooms or spaces on a floor, not exits from a floor. The addition of item four is shown as essentially not appropriate for that section.
    2. Section 1006.2.1 item four only applies to six story buildings and not four and five story buildings and skips all the new requirements in Section 1006.3.4 and Table 1006.3.4(1).
    3. Proposed Section 1006.3.4(6) would allow single exit stairs in buildings more than six stories, if they are not high rise, which doesn't match the scope indicated in the Reason Statement.

4. Proposed Section 1006.3.4 Item 6.1 allows up to six dwelling units per floor if the floor area is 3000 square feet or less, which seems to conflict with the limitations proposed in Table 1006.3.1 which limits single exit stair buildings to a maximum of four units per floor.
  5. Proposed Section 1006.3.4 Item 6.2 has an exception that eliminates any added construction type benefit to this section that it's intended to provide, since an R-2 over six stories already must be of a Type I or Type IV construction per Section 504.4.
  6. Proposed Section 1006.3.4 Item 6.10 does not make any sense as written, and is also probably not accurate for the doors into stairs serving four more stories, since the stair enclosure is required in two hours, not one hour, this proposal has at least two, if not three, sets of new requirements for single exit stairs that seem to overlap and conflict and would be extremely confusing as proposed.
  7. Proposed Table 1006.3.4 Item 1, Note a, would now apply to four, five, and six story buildings, but Section 1031 reference for emergency escape and rescue openings only applies to buildings of one to three stories.
  8. Proposed Table 1006.3.4 Item 1, Note d, seems to indicate that four and five story single exit stair buildings do not have to comply with Section 1006.3.4.2.
  9. Proposed title to Section 1006.3.4.2 indicates that it is only applicable to six-story buildings. So, it sounds like it's not in ten, four, five or seven story buildings.
  10. Proposed Section 1006.3.4.2 Item 4 would only apply to four stories but would not apply to the fifth and sixth floor.
  11. The Reason Statement says this proposal incorporates the same safety measures and design standard safeguards developed and supported by the fire service and other stakeholders, but the proposal does not apply them equivalently as compared to the consensus proposal.
  12. The Reason Statement indicates that the proposal provides an equivalent level of safety but provides no basis as to how it is in any way equivalent to the current or even the consensus proposal.
  13. The Reason Statement further indicates that this proposal adds additional protection beyond those in the consensus proposal that are appropriate for six story construction and ensures an equal or greater level of occupant safety through strengthened fire-resistance, detection, and egress requirements, but again, doesn't specifically indicate where those are located or how they are accomplished in this proposal.
- f. **Andrew C** questioned what requirements are needed to add the two additional stories from the four-story proposal that would satisfy fire services.

III. **Support**

- a. **Richard H** expressed support.

IV. **Opposition**

- a. **Dan W, Russel F, and Andrew M** expressed opposition.

**B1110.4-24 – Monika Thrower (Non-Consensus)**

- I. **Monika T** provided an overview of the proposal.

- II. **Discussion**

- a. **Steve S** asked if there were other organizations that promulgate a standard other than IAPMO Z1390 related to adult changing tables.
- b. **Shahriar A** responded that this is an ANSI standard.
- c. **Dan W** stated that he serves on the Egress Committee for ICC and there was a proposal to add that in.
- d. **Dennis H** added that the standard was approved at the second committee action hearing on a proposal for the 2027 code.
- e. **Rick H** verified for clarification that adult changing stations are already in the 2024 IBC and that this proposal is adding more locations where they would be required.
- f. **Mark G** asked the group if everyone was aware of what a “state park visitor center” is as stated in Item 6 and if the term needs to be defined.
- g. **Jeff B** pointed out that the Items 4, 5, and 6 don’t have a limitation on the number of fixtures, so these would apply to every state park visitor centers not just based on use group.
- h. **Kyle K** inquired about directional signage in Section 1110.4.5 and what was the intent.
- i. **Monika T** answered that they are looking for an actual sign like what you see for restrooms or elevators.
- j. **Shahriar A** offered the example of three banks of toilets and two of them do not have adult changing stations, then you put directional signage to lead you to the toilet that has the adult changing station.
- k. **Alyssa B** stated that when she uses the bathroom, there is signage saying that there are handicapped accessible stalls and there is also signage in family rooms.
- l. **David B** suggested that proposed Section 1110.4.6 solves the signage issue.
- m. **Mike O** alerted the group that he is a member of the Statewide Directional Signing Committee that regulates Virginia’s blue highway signs. This proposal would require bathroom signage on those signs which are limited to 12 numbers or letters per panel.
- n. **Alyssa B** warned that anyone could become disabled at any time and how would you feel if you could no longer go into public because of the cost of signage.
- o. **Monica T** mentioned that not every disability is the same. Monica T and her son can be totally secluded if she does not have somewhere to go to change her son who is totally dependent on her.
- p. **Delegate Elizabeth B-P** claimed that this issue is important for inclusivity, accessibility and dignity, and courage.

- q. **Mike O** expressed this proposal has not been heard by the workgroups and that there has been no outreach to outside industries.
  - r. **Shahriar A** responded to Mike O's comment that these discussions take place at the ICC level and the A117.1 committee has been working on this for a long time.
  - s. **Paul M** mentioned that this proposal has nothing to do with Mike O's comment regarding VDOT signage.
- III. **Support**
- a. **Shahriar A, Michael D, Delegate Elizabeth B-P, Dan W,** and **Paul M** expressed support.
- IV. **Opposition**
- a. **Mike O** expressed opposition.

**B1110.20-24 – Delegate Elizabeth Bennett-Parker (Consensus for Approval as Modified)**

- I. **Delegate Elizabeth B-P** provided an overview of the proposal.
- II. **Discussion**
- a. **Gregg F** commented that the proponent worked closely with the VBCOA Building Code Committee and the proposal helps maintain sanitary conditions, reduces the risk of spreading disease and pathogens.
  - b. **Dan W** added that he is on the VBCOA Building Code Committee and worked with the proponent. The committee provided a lot of comments to the proponent and it appears that most of the comments were addressed.
  - c. **Matthew R** remarked that adequate facilities have always been a challenge for parents
  - d. **Trieste L** echoed the other commentors, that supporting sanitary efforts in public is very practical.
- III. **Support**
- a. **Gregg F, Matthew R,** and **Trieste L** expressed support.
- IV. **Opposition**
- a. None

**B1210.1.1-24 – Tanya Pettus (Non-Consensus)**

- I. **Jeff B** provided an overview of the proposal.
- II. **Discussion**
- a. **Steve S** recommended that this proposal should be introduced at the national level first and questioned where the ten-pound requirement comes from.
- III. **Support**
- a. None
- IV. **Opposition**
- a. **Steve S** and **Dan W** expressed opposition.

#### **B2403.6-24 – William Penniman (Non-Consensus)**

- I. **Tom B** provided an overview of the proposal.
- II. **Discussion**
  - a. **Sonal S** advised that as availability and awareness increases for these products, the cost will be driven down.
  - b. **Steve S** commented that these requirements are beyond the intent of the code to provide the minimum for health, safety, and welfare. The costs are also enormous. Also, it is not known if the reference standard being proposed has been reviewed to see if it meets the ICC requirements for reference standards.
  - c. **Dan W** agreed with **Steve S** that this proposal is outside of the scope of the VCC.
  - d. **Andrew C** alerted the group that the lead time to get some of these products is eight to ten months.
- III. **Support**
  - a. None
- IV. **Opposition**
  - a. **Steve S, Dan W, Andrew C, Rick H, and Paul M** expressed opposition.

#### **B3104.1.1-24 – Mekonnen Gebresillasi (Non-Consensus)**

- I. **Kyle K** provided an overview of the proposal.
- II. **Discussion**
  - a. **Dan W** commented that AASHTO is a structural standard that does not have any safety criteria related to pedestrian bridges, and that this is the wrong section of the code to try to bring in AASHTO.
- III. **Support**
  - a. None
- IV. **Opposition**
  - a. **Dan W** and **Doug B** expressed opposition.

#### **B3105.2-24 – Mekonnen Gebresillasi (Non-Consensus)**

- I. **Kyle K** provided an overview of the proposal.
- II. **Discussion**
  - a. **Dan W**, representing VBCOA, explained that canopies are different from awnings. Awnings are part of the building façade, hence the non-combustible frame requirement. Canopies are not required to be connected to a building at all, so there is no reason for canopies to be held to the same frame requirements of awnings.
- III. **Support**
  - a. None
- IV. **Opposition**
  - a. **Dan W** expressed opposition.

**B3500(1)-24 – Rick Hinson (Consensus for Approval as Modified)**

- I. **Rick H** provided an overview of the proposal and requested a floor modification – update to E329-25a edition instead of E329-21.
- II. **Discussion**
  - a. **Dan W** asked what the “A” stands for in E329-25A.
  - b. **Rick H** responded that it does not stand for “Appendix”. The new edition requires certification for special inspection agencies and that is who will be impacted. He did not anticipate an impact on a jurisdiction’s costs.
  - c. **David B** asked if Rick H was trying to get ahead of the competition with this proposal.
  - d. **Rick H** stated that some of the competition is already ahead.
- III. **Support**
  - a. **Shahriar A, Michael D,** and **Paul M** expressed support.
- IV. **Opposition**
  - a. None

**VIRGINIA EXISTING BUILDING CODE (VEBC) PROPOSALS**

**EB102.2-24 – Allison Cook (Consensus for Approval)**

- I. **Ron C** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Paul M** and **Shahriar A** expressed support.
- IV. **Opposition**
  - a. None

**EB102.2.2-24 – Allison Cook (Consensus for Approval)**

- I. **Ron C** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Andrew M** and **Shahriar A** expressed support.
- IV. **Opposition**
  - a. None

**EB103.9-24 – Allison Cook (Consensus for Approval)**

- I. **Ron C** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Shahriar A** and **Paul M** expressed support.
- IV. **Opposition**
  - a. None

**EB202(1)-24 – Allison Cook (Consensus for Approval as Modified)**

- I. **Ron C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Florin M** announced that **Steve S** spoke with the proponent and wanted to introduce a floor modification to replace the word “Either” with “Any”.
- III. **Support**
  - a. **Paul M, Michael D,** and **Shahriar A** expressed support.
- IV. **Opposition**
  - a. None

**EB307-24 Allison Cook (Consensus for Approval)**

- I. **Ron C** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Paul M, Michael D,** and **Dan W** expressed support
- IV. **Opposition**
  - a. None

**EB401.1-24 Allison Cook (Consensus for Approval)**

- I. **Ron C** provided an overview of the proposal.
- II. **Discussion**
  - a. **David B** asked if this proposal was a companion to proposal EB102.2-24.
  - b. **Ron C** responded that it was.
- III. **Support**
  - a. **Shahriar A, Paul M, Michael D,** and **Dan W** expressed support.
- IV. **Opposition**
  - a. None

**EB403.1-24 Allison Cook (Consensus for Approval)**

- I. **Ron C** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Paul M** and **Michael D** expressed support.
- IV. **Opposition**
  - a. None

**EB506.2-24 Allison Cook (Consensus for Approval)**

- I. **Ron C** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Dennis H** and **Michael D** expressed support.
- IV. **Opposition**
  - a. None

**EB602.3.4-24 Allison Cook (Withdrawn)**

**EB702.2-24 Allison Cook (Consensus for Approval)**

- I. **Ron C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Florin M** asked for clarification if the intent was to address alterations or additions that convert existing buildings into building types within the scope of Chapter 4 of the VCC, as well as alterations that create building features within the scope of Chapter 4 of the VCC.
  - b. **Ron C** confirmed that that was the intent and provided examples of a high rise being a building type, and a legitimate stage being a feature, both within the scope of Chapter 4 of the VCC.
- III. **Support**
  - a. **Shahriar A, Andrew M,** and **Michael D** expressed support.
- IV. **Opposition**
  - a. None

**EB706.2-24 Allison Cook (Consensus for Approval)**

- I. **Ron C** provided an overview of the proposal.

- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Andrew M** and **Paul M** expressed support.
- IV. **Opposition**
  - a. None

#### **EB801.2-24 Allison Cook (Consensus for Approval)**

- I. **Shahriar A** provided an overview of the proposal.
- II. **Discussion**
  - a. **Ron C** added that this proposal may or may not apply to high rise buildings.
- III. **Support**
  - a. **Gregg F** and **Shahriar A** expressed support.
- IV. **Opposition**
  - a. None

#### **EB801.3-24 Allison Cook (Non-Consensus)**

- I. **Ron C** provided an overview of the proposal.
- II. **Discussion**
  - a. **Dan W** asked for clarification that the proposal allows the addition of one story without requiring a fire service access elevator.
  - b. **Shahriar A** commented that this was correct.
  - c. **Andrew M** voiced concern over the second exception because if an owner is willing to spend the money to increase the number of stories to a building, then the new work should incorporate all the protections that would be necessary. Andrew M added the example of adding one story with an occupied roof where the roof area is not considered a story.
  - d. **Shahriar A** countered that adding a fire service access elevator to a high rise building that does not already have one is very expensive. Adding a fire service access elevator does not just involve altering an elevator shaft, but also potentially shear walls. Currently, the code does not require adding a fire service access elevator if the number of stories increase in an existing high-rise building. This proposal adds that requirement if more than one story is added.
  - e. **Matthew R** brought up that the example being given is changing the building from office use to a residential use which is a change of occupancy.
  - f. **Ron C** reminded the group that this proposal does not exempt any vertical additions from the requirements in Chapter 7 of the VEBC.
  - g. **Doug B** cited Section 601.1 and indicated that a non-conformity cannot be created.
  - h. **Shahriar A** answered that if the existing building is conforming to the building code under which it was built and the new addition applies to the current code, then you are not

extending a non-conformity.

III. **Support**

- a. **Gregg F** and **Shahriar A** expressed support.

IV. **Opposition**

- a. **Andrew M**, **Matthew R**, and **Doug B** expressed opposition.

**EB805.2.1.1-24 Allison Cook (Consensus for Approval)**

- I. **Ron C** provided an overview of the proposal.

II. **Opposition**

- a. None

**EB901.1-24 Allison Cook (Consensus for Approval)**

- I. **Ron C** provided an overview of the proposal.

II. **Discussion**

- a. None

III. **Support**

- a. **Paul M** expressed support.

IV. **Opposition**

- a. None

**VIRGINIA RESIDENTIAL CODE (VRC) PROPOSALS**

**RB311-24 – Kyle Kratzer (Consensus for Approval as Modified)**

- I. **Kyle K** provided an overview of the proposal.

II. **Discussion**

- a. **Dan W** asked why “habitable” was chosen instead of “occupiable”.
- b. **Kyle K** replied that occupiable space does not pose the same fire hazards as a habitable space because the amount of time, presumably, spent in the space is greater for habitable spaces. The word “habitable” is defined in the International Residential Code (IRC). The word “occupiable” is not.
- c. **Kyle K** offered a floor modification to remove the Virginia amendment and add “and detached accessory structures with habitable space” in the 2024 IRC section.
- d. **Dan W** reasoned that “habitable” should be removed and replaced with “occupiable” because a detached accessory structure could be a workshop that you don’t live in.
- e. **Andrew M** agreed with **Dan W’s** reasoning.

- f. **Kyle K** clarified that the intent was not to capture a situation like a detached garage with a large storage room above it. It was to capture an office with a bathroom as an example. What we are trying to avoid here is egress through the garage from a habitable space.
- III. **Support**
    - a. **Paul M** and **David B** expressed support.
  - IV. **Opposition**
    - a. None

**RB314.3-24 – Kyle Kratzer (Consensus for Approval)**

- I. **Kyle K** provided an overview of the proposal.
- II. **Discussion**
  - a. None
- III. **Support**
  - a. **Andrew M** expressed support.
- IV. **Opposition**
  - a. None

**RB318.7.6-24 – Andrew Clark (Consensus for Approval)**

- I. **Andrew C** provided an overview of the proposal.
- II. **Discussion**
  - a. **David B** asked if the proposal is trying to remove a landing with two steps or less, even if the door swings out over it.
  - b. **Dan W** asked if exceptions three and four are new because they are not underlined.
  - c. **Andrew C** verified that the strikeouts are what is coming through the next code cycle.
  - d. **Kyle K** asked how Virginia amendments that are already approved in the 2021 VRC will get affected by this change.
  - e. **Florin M** explained that exceptions one, three, and four will come into the 2024 VRC unmodified because they are new and not modified by Virginia. If Andrew C’s proposal gets approved, exception two would be overridden by the existing amendment. So, we would carry forward the existing amendment to comport with the size of the riser.
  - f. **David B** expressed opposition because the proposal takes out the exterior landing for all exterior doors.
  - g. **Kyle K** points out that the main egress door must have a landing, but all the other doors can have two risers directly out of the door. That’s already been in the code since 2012.
  - h. **Joshua J** proclaimed that Section R311.3.2 in the 2012 Virginia Residential Code

says that a landing is not required where a stairway of two or fewer risers is located on the exterior side of the door.

- i. **David B** withdrew his opposition and reiterated that he just wants landings at a minimum to be at the required egress.

III. **Opposition**

- a. None

**RB324.7-24 – William Penniman (Non-Consensus)**

- I. **Sonal S** provided an overview of the proposal which is the residential companion to proposal B2403.6-24.

II. **Discussion**

- a. **Steve S** proclaimed that he had the same opposition as proposal B2403.6-24.

III. **Support**

- a. None

IV. **Opposition**

- a. **Steve S** expressed opposition.

**RB339-24 – Scott McStacy (Consensus for Approval)**

- I. **Scott M** provided an overview of the proposal.

II. **Discussion**

- a. **Doug B** asked if the intent is to get the material into the code or is the intent for there to be an informative appendix much in the same way as straw bale construction.
- b. **Scott M** responded that the intent was to get it anywhere in the code as there are a half dozen houses about to use this material and the code lacks guidance for the inspectors.
- c. **David B** asked if this was a non-structural wall infill.
- d. **Scott M** verified that the material is not meant to carry weight and be structural like concrete. The product does get hard but can be applied many ways such as cast like plaster, placed like blocks in between studs, or it can be sprayed into a wall cavity with a backing board.
- e. **Mark G** asked what kind of weight it has.
- f. **Scott M** expounded that the material is about 25% of the weight of concrete. A block two feet long, one foot in height, and one foot in width, weighs approximately eight to nine pounds.
- g. **Kyle K** asked what challenges has the industry faced.
- h. **Scott M** answered that the only way to get it approved in Virginia is through the alternative methods or materials section in the code.
- i. **Mark G** asked if the material is compatible with metal conduit within a cavity.
- j. **Scott M** replied that it is and the life span is 200 years.
- k. **Gregg F** asked if this appendix is already in the 2024 IRC and if the material is

proprietary.

- l. **Scott M** responded that the provisions are in Appendix BL in the 2024 IRC and that it is not proprietary.
- m. **Andrew C** asked how many homes have used this material nationally or internationally.
- n. **Scott M** surmised that there are hundreds and are mainly in Minnesota and California.
- o. **Joshua J** asked how the code sections line up if Appendix BL is adopted into the 2024 VRC.
- p. **Dan W** asked if the proposal would get the appendix into the VRC as an appendix or would the contents of the appendix get into the code as regular code language in the VRC.
- q. **Florin M** clarified that the provisions would still be housed under the appendix in the 2024 VRC, but they would become part of the code, and it would work exactly like the current tiny house provisions.

III. **Support**

- a. **Dan B, Gregg F, David B, Paul M, and Mark G** expressed support.

IV. **Opposition**

- a. None

**RB408.4-24 – Dean Bragg (Non-Consensus)**

- I. **Florin M** provided that the proposal does not show any changes to the code and DHCD staff were not able to reach the proponent for clarification.
- II. **Opposition**
  - a. **Dennis H** representing himself, and **Kyle K** expressed opposition.

## Tab 9

### Sub-Workgroup Meeting Summaries

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**SFPC Sub-Workgroup  
First Meeting Summary  
Date: July 8, 2025  
Location: Tuckahoe Library  
Time: 10:00 AM – 1:07 PM**

**Attendees:**

**VA Department of Housing and Community Development (DHCD) Staff:**

- **Florin Moldovan** – Code and Regulation Specialist, State Building Codes Office
- **Paul Messplay** – Code and Regulation Specialist, State Building Codes Office
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office

**Sub-Workgroup Group Members:**

- **Mike O’Connor** – Virginia Propane Gas Association, Virginia Petroleum & Convenience Marketers Association
- **Steve Shapiro** – Apartment & Office Building Association of Metropolitan Washington, Virginia Apartment and Management Association
- **Andrew Milliken** – Filling in for Perry Weller, Virginia Fire Services Board
- **Tommy Herbert** – Virginia Restaurant, Lodging & Travel Association
- **Chris Barfield** – University of Virginia, Building Official’s Office
- **Billy Hux** – State Fire Marshal’s Office
- **Gerry Maiatico** – Virginia Fire Prevention Association
- **Todd Spruill** – Virginia Fire Chiefs Association

**Interested Parties:**

- **Nicholas Bowles** – Nottoway County
- **Greg Cavalli** – Policy Analyst, Virginia Department of Fire Programs

**Purpose**

The Statewide Fire Prevention Code Sub-workgroup (SFPC SWG) evaluates proposed amendments to the SFPC and applicable regulations, reconciles model-code language with Virginia-specific amendments, and seeks consensus before deliberations by the General Stakeholder Workgroup. Members represent fire services, building officials, industry associations, building owners, and local jurisdictions, ensuring that public safety objectives, enforceability, and field practicality are all considered.

## **Background**

Florin provided an overview of the code development process, the background and development of the base documents, and examples of the types of changes shown in the base documents. Specific examples of changes to the SFPC were provided.

## **Discussion**

### Proposal B105.1-24 (Appointment of Building Official)

- Florin – Gives an overview and background of the proposal.  
Andrew – (Notes that the Virginia Fire Service’s Board (VFSB) has not reviewed the item yet and that he is not speaking on the VFSB’s behalf.) Personally, I think it is a better approach than setting a fixed term.  
Florin – Reiterates that no concerns have been raised; may even be “some positives.” No further comments.

### Proposal FP202-24 (Mobile Food Preparation on Boats/Watercraft)

- Florin – Turns the floor over to proponent Gerry.
- Gerry – This Virginia Fire Prevention Association (VFPA) proposal is aimed at boats and watercraft where mobile food preparation activities take place. This has become prevalent on bodies of water, such as Lake Ana and Smith Mountain Lake. Clarifies that boats and watercraft used for food service must meet mobile food preparation vehicle provisions.
- Steve – Boats are a subset of watercraft, right?
- Gerry – Yes; Cites statements and questions he has received, “I’m not a boat because I have no motor,” and “If I’m being towed, am I a trailer?”
- Florin – As I understand this, the change enables the code official to apply existing mobile food preparation vehicle requirements to these vessels.
- Andrew – Supports.
- Billy – State Fire Marshal’s Office also supports; they receive similar calls.
- Todd – Virginia Fire Chiefs Association supports as well.

### Proposal FP601.2-24 (Authority to Disconnect Utilities)

- Florin – Turns the floor over to proponent Gerry.
- Gerry – This proposal attempts to address local concerns in Warren County and was sent through the VFSB for consideration. The proposal provides explicit authority for

fire officials to order the disconnecting of utility services (primarily electrical) to a building, equipment, or portion thereof. Modeled after International Fire Code (IFC) Chapter 1 language that is amended out in Virginia. Adds parallel language to Statewide Fire Prevention Code (SFPC) Chapters 1 & 6.

- Florin – Notes that this proposal aligns the SFPC with the model code; notes the Virginia Property Maintenance Code (VPMC) already grants similar power, but not every locality enforces VPMC.
- Steve – Struggles with the newly defined word “utilities” and the qualifier “essential.” Wonders about solar power and whether that fits into the understanding of “utilities.”
- Gerry – Considered listing each service but feared omitting one, open to edits.
- Andrew – VFSB has discussed this topic generally but has not reviewed the specifics of the proposal. Suggests deleting “essential,” restoring “electric wiring,” and using “including but not limited to” followed by a list of applicable equipment and appliances. “If it’s not an essential service, then it’s not a utility.”
- Gerry – Agrees that if it’s not an essential service, then it’s not a utility.
- Florin – Proposal will appear as-is at the July 29 General Stakeholder Workgroup meeting; floor modifications can be submitted ahead of time. Encourages Gerry and Andrew to reach consensus and send a red-line Word file to staff.

#### Proposal FP3101.1-24 (Temporary Special Event Structures)

- Florin – Provides an overview of the proposal.
- Steve – Notes a typo after “this chapter” in Section 3103.7; also suggests replacing “performance” with “results” in Section 3103.7.1.
- Gerry – Questions deletion of the sentence in Section 3103.5 that defines “temporary,” and why “temporary special event structures” (TSES) is removed from the chapter title but left in scoping language.
- Andrew – Explains the proponent’s position: fire code would no longer regulate TSES; the building code would.
- Gerry – Worried about losing maintenance language once permits are issued.
- Florin – Directs Gerry to Section 3103.7 for maintenance requirements.
- Andrew – Thanks the proponent for outlining the sections and providing background information. Considering the amount of work involved, he may have underestimated the effort. Although it may fall under the Virginia Construction Code (VCC), it is not part of it. It would be more helpful to specify the exact VCC section addressing the issue rather than just saying “it’s construction so the VCC handles it.” The scope

might include it, but the VCC may not explicitly reference it. He requests to table the issue until the next meeting for review and wants “temporary” defined in Section 3103.5, somewhere else, or removed from the chapter.

Florin clarifies that the proposal is anticipated to be on the agenda for the July 29 GSW meeting, unless the proponent requests it to be tabled. Members are encouraged to continue to review the proposal and reach out to the proponent ahead of the GSW meeting with any suggestions for modifications.

#### Proposal B3102.1-24 (Companion to FP3101.1-24)

- Florin – Provides an overview of the proposal - included on the agenda for context.
- Andrew – Disagrees with removing the provisions related to construction documents from 3103.2.
- Florin – Provides an overview of the order of precedence set forth in Chapter 1 of the VCC. Section 109 provides the building official the ability to require detailed construction documents based on the specific of a given project. It appears the proponent proposes to delete the construction documents provisions from Section 3103.2 of the IFC/SFPC on the premise that Section 109 of the VCC takes precedence.
- Andrew – Agrees permit authority lies in VCC and that there is no code-language conflict; however, he sees Section 3103.2 of the SFPC as providing additional specificity for construction documents required for tents. Losing the tent-specific list may remove clarity. Recommends maintaining these tent-specific items and adding the label provisions in a new section.
- Florin – Acknowledges Andrew’s point of view and surmises that perhaps he and the proponent view Section 109 of the VCC and the VCC order of precedence differently.

#### Proposal FP3303.1-24 (Fire-Safety Plans During Construction)

- Florin – Provides an overview of the proposal.
- Andrew – VFSB supports requiring a plan but wants clear triggers: “when required by the fire code official or when a fire watch is required in accordance with Section 3305.5.”
- Florin – Asks Andrew for clarification as to whether the language is related to fire watch or additional thresholds beyond that.

- Andrew – That’s the recommendation for the threshold, to keep it as minimum as possible and still allowing, “Where required by the Fire [Code] Official,” because certain jurisdictions may have specific requirements, but at least there would be a minimum across the board as to when a plan is required instead of leaving it entirely up in the air; same request for companion Proposal B3301.1-24.
- Florin – If you were to change, “Where required by the Fire Code Official, or where needed for a fire watch in accordance with Section 3305.5,” you would be supportive of the proposal?
- Andrew – That’s right.

Proposal B3301.1-24 (Companion to FP3303.1-24)

- Andrew – Requests a review of the companion proposal and asks if feedback is requested.
- Florin – We are looking for feedback on whatever you have to offer.
- Andrew – We have not looked at this specifically, but we have the same feedback that we’ve had before. When we are deleting sections or, in this case, deleting the IFC entirely, there should be some explanation as to where that is located in the VCC. The scoping in 3301.1 deletes the entire reference to the IFC, so there are a lot of construction provisions in the IFC that, if they are removed from the SFPC, are no longer enforceable. You would only have the VCC as specifically amended. In the SFPC, we’ve removed construction language from Chapter 33, for example, standpipes. If we remove the IFC reference in the VCC, then that section about when you need to provide standpipes is not connected. That would specifically need to be said in the VCC as an amendment.
- Florin – Is your concern that if you remove the reference to the IFC from this section and if you are operating under the purview of the SFPC, “the applicable building code” as referenced in the SFPC would no longer include Chapter 33 and all of the subsequent provisions from the IFC?
- Andrew – Yes. There are other sections in the VCC in Chapter 33 that address, for example, fire extinguishers, means of egress, sprinklers, etc., which the proponent does not intend to delete. Are these intended to remain?
- Florin – The proponent is suggesting that those sections referenced in the IFC are operational and maintenance provisions and, under the purview of the USBC, there’s no authority to enforce operational or maintenance provisions in the IFC. Therefore, in the proponent’s opinion, those should be removed from the IFC

because those should already be covered under the SFPC as operation and maintenance provisions. That's what I understand his reasoning to be.

- Andrew – Suggests the proponent provide more clarity in the reason statement as to whether all or only some of the IFC Ch. 33 provisions are being removed; expresses similar concern for the Virginia Existing Building Code (VEBC) correlations. There are many provisions regarding fire safety during construction in the VCC that would remain.

#### Proposal FP4106.1.3 (“No-Longer-Mobile” Food Vehicles)

- Florin – Recaps the move of former Section 319 of the SFPC and IFC to 2024 IFC Section 4106.
- Gerry – Increasing number of food trucks permanently parked, placed on blocks, skirted, porches added, and connected to utilities of an existing building, and therefore are no longer mobile. At what point do they cease to be a Mobile Food Preparation Vehicle (MFPV) and become a fixed structure under the purview of the Building Official and not the Fire Official for those connections and modifications, making them a fixed structure?
- Mike – If the vehicle is still licensed as a trailer and movable, does this rule apply? Concerned about defining propane as a “utility.”
- Gerry – Language says if it cannot be “easily transported or relocated without excessive effort,” it is no longer an MFPV.
- Florin – Distinguishes between integral propane tanks vs. hard-piped connections to large external tanks; the latter may be considered a utility connection.
- Andrew – Section 319.9 already regulates tanks “attached to the vehicle”; non-attached tanks would be considered a permanent utility.
- Florin – Sounds like there are a few members interested in working on the definition of “utility.” Mike, would you be interested in joining them?
- Mike – I can't give a yes or no on that, but I can pass it along to the association and they can determine whether they would like to be represented in that discussion.
- Florin – Is your position that these types of units should not be regulated under this section? Or is your suggestion that there should be clarification so everyone understands where this applies?
- Mike – My first concern is that defining propane as a utility could be problematic.
- Andrew – We have other sections in the SFPC that discuss utility shutoffs. Is the suggestion that propane is problematic if it's not included as a utility? From my

perspective, propane—whether it’s any type of tank—meets the threshold of “utility” in a general sense. If we exempt it as not being a utility, we must be cautious.

- Mike – Reiterates that he is not advocating for propane to be excluded from being considered a utility.
- Florin – Thanks, everyone, for the feedback and conversation. We look forward to any further improvements or modifications to this proposal.

#### Assignments and Next Steps

- The group will continue to work and collaborate on proposals.
- Staff will draft the summary, and once it’s available, will share it with the group and post it online.
- Staff will review the list that Andrew sent, which recommends changes to the base document. Staff plan to use a spreadsheet similar to previous cycles, which will show what is in the base document, the recommended edits, and what the group agrees on, as applicable. The goal once these items have been discussed is to reach consensus. Staff can then draft a proposal on behalf of the Sub-workgroup for consideration during the general workgroup meetings.
- Staff will send a placeholder calendar invite for the group’s next meeting

Meeting adjourned at 1:07 p.m.



# Statewide Fire Prevention Code (SFPC) Sub-Workgroup Meeting

September 26, 2025

10:00 AM

Location: 4224 Cox Rd, Glen Allen, VA 23060 - **Virginia Housing Center**

## **Attendees:**

### **VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director of Building and Fire Regulation
- **Florin Moldovan** – State Building Codes Office Director
- **Paul Messplay** – Code and Regulation Specialist, State Building Codes Office
- **Travis Luter** - Code and Regulation Specialist, State Building Codes Office
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office

### **Sub-Workgroup Members:**

- **Mike O'Connor** – Virginia Propane Gas Association (VAPGA), Virginia Petroleum & Convenience Marketers Association (VPCMA)
- **Steve Shapiro** – Apartment & Office Building Association of Metropolitan Washington (AOBA), Virginia Apartment and Management Association (VAMA)
- **Perry Weller** - Virginia Fire Services Board (VFSB)

### **Interested Parties:**

- **Greg Cavalli** – Policy Analyst, Virginia Department of Fire Programs
- **Chris Barfield** – University of Virginia, Building Official's Office
- **Christian Tucker** – Virginia Cable Telecommunications Association (VCTA)
- **Ernie Little** – Virginia Fire Prevention Association (VFPA)
- **Andrew Milliken** – Virginia Fire Services Board (VFSB)

## SFPC Base Document Update

**Florin** provided an update on the SFPC base document, expressing gratitude to Andrew M. and the VFSB for their assistance in reviewing and updating the document.

## Proposal Discussions

**FP6112-24** – Lee Stoermer. Moved to the beginning of the agenda at the request of Mike O’Connor.

**Florin** provided an overview of the proposal.

**Mike O’** spoke with the proponent ahead of the meeting and disseminated the proposal to members of the Petroleum Gas Association. **Mike O’** will be meeting with the proponent in the subsequent week to further discuss the proposal.

**Florin** encouraged other interested parties to participate in the meeting to share their insights, as well.

**FP112.5-24** – Andrew Milliken

**Andrew M.** provided an overview of the proposal.

No further discussion from the group occurred.

**FP405.5-24** – Delegate Elizabeth Bennet-Parker

**Florin M.** provided an overview of the proposal.

**Andrew M.** raised concerns about occupant notification and instructions during the 14-day period testing window. VFSB expressed significant concerns about occupants ignoring the alarms during that time. The UK requires a Personal Emergency Evacuation Plan (PEEP) for those with special needs. This might be something of interest to the proponent. This proposal may have come about due to fire alarm servicing companies not adequately notifying building occupants.

**Florin M.** asked if **Andrew M.** would be interested in meeting with the proponent to learn more about the intent of the proposal, offered to connect him with the proponent if interested, and noted that staff would also be interested in being part of the conversation, if possible.

**Andrew M.** is interested in meeting with the proponent and expressed the intent of reaching out to further discuss the proposal.

**FP601.2-24** – Gerry Maiatico

**Florin M.** provided an overview of the proposal.

**Christian T.** shared that VCTA has concerns with the definition of “utilities,” which VCTA presumes to include communication systems, alarm systems, and other types of low voltage wiring. From an industry perspective, VCTA is unaware what the specific fire hazards would be. Suggests that cabling and alarm systems be an exception.

**Christian T** raised concerns about the subject matter expertise of those officials inspecting low-voltage systems. **Christian T** questions the proponent’s floor modification of changing, “When in the Fire Code Official’s opinion,” to, “When the Fire Code Official deems,” and whether it provides any substantive change. This issue can be solved through a revision of the definition.

**Steve S.** shared that AOBA supports the exception for communication systems.

**Christian T.** noted that there is a potential for creating more risk when communication systems are offline during an emergency.

**Perry W.** stated that utility systems are not exempt from having issues that could cause a fire. Cable boxes and fire alarm boxes have been the cause of fires. **Perry W** agreed that addressing the terminology to consider all parties is a good idea.

**Steve S.** reminds the group that there are currently exemptions in the code for low-voltage wiring, so there is precedent for an exemption like what is being discussed in the proposal.

**Andrew M.** stated that there may be a need to revise the proponent’s floor modification to not strike the word “Official,” because the fire code does not determine nor “deem” anything – it is the Official’s decision. Noted VFSB’s recommendation for the language stricken in 110.1 regarding Exception 7 and that “electrical wiring” should be left in the section. Encouraged VCTA to reach out to the proponent to create an exception for specific utilities.

**FP807.2-24** – Andrew Milliken

**Andrew M.** provided an overview of the proposal.

**Florin M.** asked the proponent if he intentionally used “doorways” instead of “doors.” If there is an opening that could be considered an exit access doorway, how would this apply?

**Andrew M.** The reason for using “exit access doorways” is because it’s a defined term. Does not believe there is a functional difference or technical issue because it is a defined term.

**Steve S.** noted uncertainty about how you would take the measurement of 50% of the surface area of something that does not have a surface.

**Florin M** clarifies that the definition of exit access doorways is “a door or an access point.” If it is an access point, then it’s not a door.

**Chris B.** asks if correlation needs to be made between “doors” in Sections 807.2 and 807.3 and “doorways” in Exception 5 Section 807.2.

**Andrew M.** notes that 807.3 and the beginning of 807.2 address all doors. This exception is with regard to exit access doorways.

#### **FP901.6.3-24** – Andrew Milliken

**Andrew M.** provided an overview of the proposal.

**Steve S.** asked what the Library of Virginia’s retention schedule calls for with respect to this documentation.

**Andrew M.** does not believe that the Library of Virginia retention policy applies to this, since it’s a document that is retained by the owner of the property.

**Steve S.** inquired whether these documents would be required to be kept for a government building and, if they are, would the Library of Virginia retention policy apply.

**Andrew M.** stated that if this documentation becomes a government document, then the Library of Virginia retention policy would apply.

**Perry W.** noted that most documents are retained for 5-15 years and that this proposal would not create a conflict.

**Florin M.** shared the analogy of the Virginia Construction Code requiring construction documents to be kept on site for the inspector to reference. This proposal appears to require the owner to keep the records of system inspections, tests and maintenance onsite for reference as needed.

**Andrew M.** agreed with Florin’s statement.

**Christian T.** asked if “approved location” is a defined term and if there is a process for getting that approval?

**Andrew M.** “Approved” is a defined term. Noted that the language is intended to have a lot of flexibility to allow for electronic records, paper records, and other types of records.

**Perry W.** clarified that the Library of Virginia requires a 3-year retention period from the last action on that document.

**Florin M.** qualified that the Library of Virginia retention policy is regarding the retention of documents associated with government buildings.

**FP906.1-24** – Morgan Hurley

**Florin M.** provided an overview of the proposal including the proposed floor modification shared on the screen.

**Steve S.** noted that striking A, B, and E occupancies has been proposed to be stricken for the past 5 code cycles and that the Board of Housing has rejected it every time. AOBA will be speaking again in opposition at the Board of Housing and Community Development meeting.

**Andrew M.** stated that the VFSB supports the proposal to address this section but that they disagree on a couple items in the proposal. **Andrew M** further noted that this proposal brings the SFPC in line with the model code, which has had these requirements for many years. VFSB supports bringing additional flexibility to certain occupancies or uses that are not currently in Virginia. Andrew shared that he is not aware of projects that would otherwise not be required to have a fire sprinkler system that would now require one instead of providing portable fire extinguishers. **Andrew M.** noted that we have at least 15,000 qualified fire fighters throughout the Commonwealth who are trained to use portable fire extinguishers. They are now rendered helpless in the absence of these portable fire extinguishers where a fire could otherwise be fought.

**Steve S.** stated that AOBA's comments are the same for this proponent's companion proposal B906.1.

**FP1208-24** – Ernie Little

**Ernie L.** provided an overview of the proposal including the proposed floor modification shared on the screen.

**Steve S.** asked what the building code requires for distances to an emergency shut off.

**Ernie L.** responded that the requirements are no less than 20 ft and no more than 100 ft, which is the same requirement that exists for self-service stations.

**Florin M.** shared the proponent's companion proposal for the Virginia Construction Code.

**Andrew M.** noted that VFSB supports this proposal and that this proposal stands on its own, regardless of the outcome of the companion proposal. Andrew also noted that Item #4 in the proposal is intended to be a part of Item #3, which was confirmed by **Ernie L.**

**FP4101.9-24** – Andrew Millilken

**Andrew M.** provided an overview of the proposal.

**Steve S.** asked for clarification on where the 10 ft measurement is taken.

**Andrew M.** clarified that his proposal revises this section so that it only applies to tents and membrane structures, not buildings.

**Steve S.** asked if the measurement is taken from the nearest edge.

**Andrew M.** stated, “Yes.”

**Steve S.** asked which definition of combustible materials 4104.3 is referring to.

**Andrew M.** noted that the definition to be used would be the common definition since “combustible” is not defined in the SFPC.

**Ernie L.** noted that “combustible” is not defined in any of the codes except for the Mechanical Code.

**Florin M.** shared that the Virginia Mechanical Code defines “combustible material” as any material that is not defined as “noncombustible.”

*NOTE: Further staff review revealed that the VMC defines “Noncombustible materials” as: “Materials that, when tested in accordance with [ASTME136](#), have not fewer than three of four specimens tested meeting all of the following criteria:*

1. *The recorded temperature of the surface and interior thermocouples shall not at any time during the test rise more than 54°F (30°C) above the furnace temperature at the beginning of the test.*
2. *There shall not be flaming from the specimen after the first 30 seconds.*
  1. *The recorded temperature of the surface and interior thermocouples shall not at any time during the test rise more than 54°F (30°C) above the furnace temperature at the beginning of the test.*
  2. *There shall not be flaming from the specimen after the first 30 seconds.*
  3. *If the weight loss of the specimen during testing exceeds 50 percent, the recorded temperature of the surface and interior thermocouples shall not at any time during the test rise above the furnace air temperature at the beginning of the test, and there shall not be flaming of the specimen.*

#### **FP4106.1.3-24 – Gerry Maiatico**

**Florin M.** provided an overview of the proposal and shared an email from the proponent regarding the potential use of definitions in the Virginia Construction Code, Appendix G (Flood-Resistant Construction), modified slightly to meet the intent of “mobility”.

**Andrew M.** shared that VFSB has not reviewed the definitions in Appendix G suggested by the proponent.

**Ernie L.** noted that mobile fuel vehicles have been a discussion since the SFPC came about and shared situations where mobile food vehicles are staying in place for multiple months and providing outdoor seating. “Mobile vehicles are morphing.”

#### **FP5001.7-24 – Andrew M.**

**Andrew M.** provided an overview of the proposal.

No further discussion by the group occurred.

**Assignments and Next Steps**

- Ron Clements' tent-related proposals FP3101.1-24 and B3102.1-24 have been withdrawn by the proponent from the next General Stakeholder Workgroup meeting.
- Staff are considering extending the deadline for proposal submission from October 10<sup>th</sup> to a later date in October to give stakeholders ample opportunity to review the information and collaborate towards reaching consensus on as many proposals as possible.

**Next Meeting Date:**

**Florin M.** noted that a third SFPC SWG meeting may be necessary depending on the outcomes of the General Stakeholder Workgroup meeting on October 3<sup>rd</sup> and whether additional SFPC proposals will be submitted. Staff will follow up with more information once available.

***Meeting adjourned at 11:53 AM***



**Statewide Fire Prevention Code (SFPC) Sub-Workgroup  
Third Meeting Summary**

**Date: November 21, 2025**

**Location: 4224 Cox Rd, Glen Allen, VA 23060 - Virginia Housing Center**

**Time: 10:00 AM**

**Attendees:**

**VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director of Building and Fire Regulation
- **Florin Moldovan** – State Building Codes Office Director
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office

**Sub-Workgroup Members:**

- **Billy Hux** – State Fire Marshal’s Office (SFMO), Virginia Department of Fire Programs (VD FP)
- **Mike O’Connor** – Virginia Propane Gas Association (VAPGA), Virginia Petroleum & Convenience Marketers Association (VPCMA)
- **Scott Pedowitz** - Apartment & Office Building Association of Metropolitan Washington (AOBA), Virginia Apartment and Management Association (VAMA), Sitting in for Steven Shapiro

**Interested Parties:**

- **Andrew Milliken** – Virginia Fire Services Board (VFSB), Codes and Standards Workgroup
- **Chris Barfield** – University of Virginia, Building Official’s Office
- **Christian Tucker** – Virginia Cable Telecommunications Association (VCTA)
- **Greg Cavalli** – State Fire Marshal’s Office (SFMO), Virginia Department of Fire Programs (VD FP)
- **John Miller** – Virginia Department of Forestry
- **Lee Stoermer** – Loudon County Fire Rescue Fire Marshal Office, Virginia Fire Services Board (VFSB), Codes and Standards Workgroup
- **Zach Eisenman** – Virginia Propane Gas Association (VAPGA)

**Purpose**

The Statewide Fire Prevention Code Sub-Workgroup (SFPC SWG) convened as part of Virginia’s 2024 code development cycle to review and discuss proposed changes to the state’s fire prevention code provisions. The meeting brought together a diverse group of stakeholders—including state agency staff, Fire Services members, advocacy groups, code

officials, industry representatives, and citizens—to collaboratively examine fire-related code change proposals prior to deliberations by the General Stakeholder Workgroup (GSW) and consideration by the Board of Housing and Community Development (Board).

### **Proposal Discussions**

#### **FP105.3.1-24 - DHCD Staff**

**Florin M** provided an overview of the proposal which no longer requires localities to notify DHCD of employment of new technical assistants. In addition, the word "termination" is changed to "separation" to be more inclusive of any situation where the employee leaves the locality, including resignation, termination, or retirement.

No further discussion from the group occurred.

#### **FP107.11-24 - Greg Cavalli and Billy Hux** representing the Virginia Department of Fire Programs

**Greg C** provided an overview of the proposal which increases the SFMO permit fees for explosives, blasting agents, theatrical flame effects, fireworks, and annual compliance inspection fees.

**Mike O** asked DHCD staff for clarification if the Board instructed proposals not to increase costs on consumers.

**Florin M** commented that the code development process is open to anyone who wants to submit code change proposals and staff cannot prevent anyone from submitting what they believe to be beneficial for them, the Commonwealth as a whole, or otherwise. Each proposal is required to be provided with a Cost Impact statement indicating whether the proposal increases cost, decreases cost, or has a neutral impact. Ultimately the Board is going to make their own decisions. Further, he encouraged those in attendance to provide feedback to the proponents, as applicable.

**Jeff B** added that at one of the earlier meetings DHCD staff did mention that there were executive orders from the current administration to reduce regulatory requirements and costs and that there is a heightened focus on that to increase affordability. However, part of the regulatory reduction considers things that are necessary for health, safety, and welfare.

**Mike O** asked **Greg C** if the department had done any research and reached out to other stakeholder groups that might be impacted.

**Greg C** responded that no specific industries have been contacted but the research they have done was for a report that was mandated by the General Assembly.

**Billy H** clarified that their department is not 100 percent funded by the general fund. Mandated inspections such as dorms, hospitals and nursing homes are covered by the general fund, but the rest of the fire code inspections do not and there is a deficit in funding these inspections.

**Mike O** asked if the report could be shared with the group.

**Greg C** read the following statement from the Preface of the report in question:

“Virginia’s adopted budget (2025 Va. Acts Ch. 725) directed the Department of Fire Programs in cooperation with the State Fire Marshals Office, Virginia Fire Services Board, the Department of Housing and Community Development, and the Board of Housing and Community Development to conduct an assessment of the fees charged by the State Fire Marshals Office to conduct safety inspections. The assessment shall include a review of existing inspection fees, the number of inspections conducted by fee category, the cost of conducting each inspection, and the total revenue from each fee category to determine whether there is a need to adjust the fees based on the market cost of conducting inspections.”

**Mike O** asked DHCD staff if “moving on” to the next proposal meant that there was consensus for the proposal.

**Florin M** clarified for the group that official votes are not taken in the Sub-Workgroup meetings, but if anyone wishes to speak in opposition, or support, or wants to provide additional feedback to the proponent, that this is the forum to do so. **Florin M** emphasized the importance of attending the General Stakeholder Workgroup meeting and encouraged everyone to attend as that is when a recommendation from the stakeholders to the Board will be assigned for each proposal.

#### **FP107.12-24 – Greg Cavalli and Billy Hux** representing the Virginia Department of Fire Programs

**Greg C** provided an overview of the proposal which adds SFMO inspection fees for general fire code inspections, re-inspections, the retail sale of 1.4G Virginia Permissible Fireworks, and mobile food preparation vehicles.

**Scott P** expressed concerns with Item 8 “General fire code inspection” and Item 9 “Re-inspection”.

**Mike O** asked for clarification that the fee proposed for a general fire code inspection is a new fee.

**Greg C** responded that there are currently no fees for general fire code inspections. The VDFP had discussions with the Board and came to a consensus to narrow the definition of what general fire code inspections would incur a fee, and that information will be in a forthcoming report.

**Billy H** added that the number of general fire code inspections and re-inspections is approximately 1000 a year based on the previous fiscal year. The majority of those inspections are requested by a commercial occupancy for insurance purposes or some type of accreditation. The fee was based off the average of various fire marshal office fees throughout the state but did not include offices in northern Virginia.

**Mike O** asked for clarification that general fire code inspections are requested and not outreach on the part of the department.

**Greg C** read the new definition of *general fire code inspection* included in the forthcoming report:

“The category of general fire code inspections for the purposes of this recommendation would encompass any statewide fire prevention code inspection that is requested or conducted from a commercial occupancy where the state fire marshal is the authority having jurisdiction. The general fire code inspections that would be charged fees under this recommendation do not fall under General Assembly mandated inspections. Rather the fee would be charged for inspections only requested for commercial occupancy either by a business owner or a valid complaint.”

**Mike O** asked for clarification that this only applies to requested inspections and valid complaints.

**Greg C** confirmed that that is correct.

**Andrew M** asked if the report had been published.

**Greg C** explained that the report has not been published but will be presented to the VFSB on December 2nd. **Greg C** was prepared to answer any questions about the

research that was done to compile the report but stressed that the report cannot be shared because it has not yet been approved.

**FP107.12.1-24 - Greg Cavalli and Billy Hux** representing the Virginia Department of Fire Programs

**Greg C** provided an overview of the proposal which creates a new market-based fee adjustment process where the State Fire Marshall shall submit a report detailing inspection numbers to the Board prior to the start of each code development cycle.

**Mike O** questioned if this proposal makes the increase in the cost of the first two proposals necessary.

**Greg C** countered that the department came up with several options as directed by the General Assembly and the options are being presented as individual proposals so the Board can decide which plan makes the most sense.

**Scott P** was opposed and preferred that the fee structure remain part of the stakeholder process.

**Florin M** clarified for the group that changes to the proposals in cdpVA can no longer be made. However, floor modifications are allowed to be introduced during the General Stakeholder Workgroup meeting. To streamline discussions during the meeting, proponents are strongly encouraged to provide staff with a document showing the changes between the proposal in cdpVA and the version they would like to be considered as a floor modification, a few days ahead of the meeting. DHCD staff will work with proponents to put the changes in the correct format to show the differences between the original proposal and the revised proposal.

**FP112.1-24 - Eric Mays**

**Florin M** provided an overview of the proposal which intends to clarify the requirements pertaining to the timely filing of an appeal as it relates to the payment of appeal application fees.

No further discussion from the group occurred.

**FP112.5(1)-24 – DHCD Staff on behalf of the State Building Code Technical Review Board (TRB)**

**Florin M** provided an overview of the proposal which pairs language with the Virginia Construction Code and the Virginia Property Maintenance Code for who can appeal to the Local Board of Fire Prevention Code Appeals (LBFPCA).

No further discussion from the group occurred.

**FP307.2-24 John Miller**, representing Virginia Department of Forestry

**John M** provided an overview of the proposal which deletes the word “silvicultural” which is not a defined term and to not create another layer of oversight on a process that is already extensively regulated.

**Andrew M** noted that the VFSB Codes and Standards Committee supports the intent of the proposal but believes that an exception should be created for silvicultural burns instead of removing the word “silvicultural”. This section could be applied to other situations such as land clearing operations that wouldn’t fall under that category and prescribed burn regulation requirements are not mandatory.

**John M** indicated that he was fine with that approach and will collaborate offline with **Andrew M** in crafting the language for the suggested exception.

**FP501.5-24 — Andrew Milliken**

**Andrew M** provided an overview of the proposal which requires the Fire Code Official to approve the installation of fire service features mandated in Chapter 5 prior to the occupancy of any portion of a building, structure, or premises.

No further discussion from the group occurred.

**FP904.2.2.1-24 – Lee Stoermer**

**Lee S** provided an overview of the proposal which requires a copy of approved fire suppression plans to be available at all times the commercial hood and/or cooking appliances located under the hood are in operation.

**Andrew M** commented that the VFSB Codes and Standards Committee discussed the proposal and had two recommendations. Relocate to Section 904.13.5

“Operations and maintenance” and clarify that the requirements in the proposal speak to the owner or operator of the hood and not the hood itself.

**Scott P** expressed concern that this creates a violation if the plans aren’t on site but could be accessed.

#### **FP1208(1)-24 – Andrew Milliken**

**Andrew M** provided an overview of the proposal which builds on the proposal FP1208-24, which was recommended as “Consensus” at the October 3rd General Stakeholder Workgroup meeting, by providing additional clarifications and electrical power disconnect information.

**Scott P** not addressing the substance of the proposal, brought up that similar proposals dealing with electric vehicle charging were discussed at the last Energy Sub-Workgroup Meeting (held on November 14<sup>th</sup>) and there was preference to set up a workgroup to align all things dealing with electrical charging. The feeling from the Energy Sub-Workgroup meeting was that those proposals would become categorized as “Non-Consensus” at the conclusion of the next General Stakeholder Workgroup meeting.

**Andrew M** would be supportive of a workgroup if electric vehicle charging stations were not mandated everywhere. If they are mandated, there should be protection in place for them. He would like to see consensus on something like this, if possible, rather than grouping them with a larger item.

#### **FP4106.1.3-24 – Gerry Maiatico**

**Florin M** noted that the proposal was on the agenda for the last two SFPC Sub-Workgroup meetings, as well as the General Stakeholder Workgroup meetings where the proposal was carried over for additional potential collaboration amongst stakeholders and invited the group to share any updates or additional information they might have, which has not already been discussed at prior meetings.

**Christian T** emailed **Gerry M** on a separate proposal asking to exclude “telecommunications” from the proposed “utilities” definition.

**Andrew M** vocalized that VFSB Codes and Standards Committee would like to add “and determined to be a structure” after “utilities” in the exception to avoid a

loophole where a building can be provided with power and water and approved by the building official but also not considered to be a structure and would be exempt.

There have been discussions with the proponent but have not seen any changes.

**Christian T** asked for an update on the status of proposal FP601.2-24.

**Florin M** remarked that the proposal FP601.2-24 was discussed at the October 3rd General Stakeholder Workgroup meeting and received a recommendation of “Non-Consensus”.

### **FP6112-24 – Lee Stoermer**

**Lee S** provided an overview of the proposal which introduces a new section for LP gas vendor requirements.

**Zach E** weighed in that there are a few clarifications that he will work on with **Lee S**, offline.

**Andrew M** noted that VFSB Codes and Standards Committee supported this proposal but would like to see a more refined definition of what a “marketer” is.

### **Assignments and Next Steps:**

**Florin M** noted that staff will develop a summary of the meeting and will distribute it to the group once completed. Members of the Sub-Workgroup were encouraged to meet and continue discussions in furtherance of consensus building. Further, **Florin M** stated that staff are available to attend offline meetings and discussions if available and if requested by the members. Lastly, **Florin M** asked any proponents seeking to add floor modifications to notify staff no later than a few days before the final General Stakeholder Workgroup meeting so there would be time to prepare potential documentation.

**Florin M** expressed appreciation to the group for their time and efforts throughout the process and for their dedication towards improving Virginia’s codes and encouraged everyone to attend the General Stakeholder Workgroup meetings on December 11-12, 2025.

**Energy Sub-Workgroup  
First Meeting Summary  
Date: July 9, 2025  
Location: Virginia Housing Center  
Time: 10:02 AM – 2:37 PM**

**Attendees:**

**VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director, Division of Building and Fire Regulation
- **Florin Moldovan** – Code and Regulation Specialist, State Building Codes Office
- **Paul Messplay** – Code and Regulation Specialist, State Building Codes Office
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office
- **Rajan Engh** – Training and Development Specialist, Virginia Building Code Academy
- **Chase Sawyer** – Policy and Legislative Services Manager

**Study Group Members:**

- **Steve Shapiro** – Virginia Apartment Management Association, Apartment & Office Building Association of Metropolitan Washington
- **Sydney Roberts** – Southeast Energy Efficiency Alliance
- **Mike O'Connor** – Virginia Propane Gas Association, Virginia Petroleum and Convenience Marketers Association
- **Corian Carney** – Independent Alliance of the Electrical Industry, VA Chapter
- **Dennis Hart** – Virginia Plumbing and Mechanical Inspectors Association
- **D.A. Pierce** – Virginia Building and Code Officials Association, Energy Committee
- **Chelsea Harnish** – Virginia Energy Efficiency Council
- **Stuart Nuckols** – Viridiant, Sitting in for Andrew Green
- **Mason Trimble** – Virginia Department of Energy
- **Bill Penniman** – Sierra Club, VA Chapter
- **Mike Rhodes** – Polyisocyanurate Insulation Manufacturers Association
- **Eric Lacey** – Responsible Energy Codes Alliance
- **William Drumeller** – Responsible House

- **Hana Nguyenky** – American Institute of Architects, VA Chapter
- **Sarah Thomas** – Virginia Association for Commercial Real Estate
- **Andrew Clark** – Home Builders Association of Virginia

**Interested Parties:**

- **Nicholas Bowles** – Building Official, Nottoway County
- **Kyle Kratzer** – Virginia Building and Code Officials Association
- **Mike Hamilton** – Arlington County
- **Bill Riggs** – Viridian
- **Bob Shippee** – Virginia Citizen
- **Susan Stillman** – Virginia Citizen
- **Jason Vandever** – North American Insulation Manufacturers Association
- **Monica Rokicki** – Better Building Works

**Purpose**

The Energy Sub-Workgroup convened as part of Virginia’s 2024 code development cycle to review and discuss proposed changes to the state’s energy code provisions. The meeting brought together a diverse group of stakeholders—including state agency staff, builders, advocacy groups, code officials, industry representatives, and citizens—to collaboratively examine energy-related code change proposals prior to deliberations by the General Stakeholder Workgroup and consideration by the Board of Housing and Community Development.

**Background**

Jeff provided an overview of the code development process, the background and development of the base documents, and examples of the types of changes shown in the base documents. Specific examples of changes related to energy were provided.

**Individual Code-Change Proposals**

**REC-R402.1.2(1)-24 – Maintain R-60 Attic Insulation**

- Eric – Provides an overview of the proposal.
- Bill P- Envelope insulation is especially important given the lifespan of buildings. Maintaining the current level makes more sense than rolling it back.

- Monica - R-60 is blown-in cellulose. Once that insulation is disturbed, it can get compressed. The gain from R-49 to R-60 is negligible.
- Jason - Efficiency folks had their eye on electrification; builders had their eye on ceiling insulation. Builders got the weakening (amendments); efficiency folks didn't get anything.
- Mike H - Resiliency is important. If power goes out during a heat wave, you'll be glad you have a good thermal envelope.

::Separate Discussion::

- Sydney – Do we have a sense, everything else being equal, of what the energy cost impact of this change might be?
- Eric – It's not huge overall. It's a percent or so overall in terms of efficiency.

::Separate Discussion

- Jason – It's not significant if you're following straight prescriptive. Going from R-49 to R-60 is not the biggest bang for your buck.
- Monica – It's not even one point on a HERS ERI score.
- Mike H – We're talking strictly, in this discussion, energy savings and cost savings, but resilience is important for the health, safety, and welfare of the public. Power outage during a heatwave allows passive systems to keep functioning while active systems aren't. It's not apples to apples.

#### **REC-R402.1.2(2)-24 – Wall Insulation / Continuous Insulation**

- Eric – Provides an overview of the proposal. Currently, we allow 75 % more heat flow through an opaque wall. Looking to eliminate that.
- Steve - What's the effect on framing members, particularly in Climate Zone (CZ) 4?
- Eric - You can still use 2 × 4 framing; continuous insulation (ci) is an option.
- William - Love more efficiency but ci isn't a simple install. Strikes me the simplest way is larger framing members.
- Monica - If there's ci it really needs to be R-5 minimum; otherwise, you get thermal bridging... Mixed-humid climates need vapor-open walls.

Support roll-call – Sydney, Chelsea, Naima indicated “support,” Steve “not in favor,” Andrew reserving judgment pending full package, Monica “not in favor due to R-30 wall insulation requirement.”

- Andrew – (Standing comment for all energy proposals) Our goal is to look at all of these proposals in totality and run them against our members’ interests, not only considering the upfront cost impact. With regard to the upfront cost impact, the General Assembly has emphasized that we cannot put up barriers to folks even being able to “get to the dance floor” when it comes to housing. When builders and developers go before the Board of Supervisors, they don’t care what the payoff is for seven homeowners over 100 years. They are focused on getting people into houses now. We need to consider that local electors want that lower initial cost. It’s not opposition to increased efficiency; it’s that we’re getting hit on both sides. We’re not vehemently opposed unless something unexpected pops up.

**REC-R402.1.2(3)-24 – New Optional Roof-Insulation Path**

- Jason – Provides overview of proposal. This just adds an additional compliance option for constructors.
- Sydney - Are these values equivalent to R-49/R-60?
  - Jason - Equivalent to the 2024 as published; if VA stays at R-60, we’d ratchet this down.

Support role call: Monica, Sydney, Eric, and Bill P support. No opposition expressed.

**REC-R402.4.1.2- 24 – Air-Leakage (Blower-Door)**

- Eric - Proposal removes the VA-specific air-leakage rate amendment, moving from 5 ACH to the national 3 ACH target.
- Monica - Very rarely do homes we test fail 5 ACH; many are at three or lower. Supports.
- Andrew - Are other states seeing downsides to 3 ACH? At some point, do you over-correct?
  - Eric – Worked with Maryland builders two cycles ago, and they were concerned with coming down to 3 ACH. We came up with a solution using the performance path to allow them to go up to 5 ACH, which became known as the ‘Maryland Compromise’ that made it into the code.
  - Sydney – Can try to get some data on performance across states to bring to a future meeting. SEEA does energy code field studies, and the data is dated, but it might be worth looking at. Important to keep in mind that if we pull on a string here, it impacts a string over here. We just had a conversation about increasing wall insulation values. If the process leads to better insulated

walls and we don't also decrease infiltration, then we're going to end up with mold, mildew, and rotten walls. They need to work on parallel paths. Spray foam is obviously one path, but there are a lot of other techniques used in the Southeast.

- Andrew – The field studies would be helpful.
- Chelsea – That field study was conducted prior to the requirement for blower door testing. While the code permitted a maximum air leakage allowance, we still had visual inspections and so that data was used to help us push for blower door testing for air leakage, which we now have. So that data would be outdated.
- William – We test a lot of houses and I will tell you that conventional foundations with fiberglass all the way around are testing 4 ACH and into the 5's. A lot of the builders that we encounter are upset with the current code requirements. I would love to see a 3 ACH requirement because those are all spray foamed houses. Spray-foamed houses always test 2.5 ACH or less. We tested one the other day at .7 ACH. I would predict a lot of pushback from Andrew's group for this. As a practical matter, it has been very difficult for builders to get up to speed. I'm a 30-year general contractor so I sympathize with where they are coming from. I like what Eric is trying to do, but I'm telling you, from a practical matter it might be tricky.
- Bill P – Supports Eric's proposal. The 3 ACH requirement has been around since the 2012 IECC. They haven't adjusted it because it's too hard to meet. The IECC provides additional flexibility now, so you can get by with 4 ACH when using the Simulated Building Performance path or the ERI path. It's time for Virginia to catch up.
- Eric – Correcting something I said earlier, the 2024 IECC allows you to trade up to 4 ACH, not 5. The 2021 allowed 5 ACH.
- William – Just based on what I see and the learning curve from these builders out there, it strikes me that 4 ACH is the next stop. The builders are happy now, they are passing, and they are learning. If you go straight to 3 ACH now, that seems like a lot.

#### **REC-R405.2-24 – Performance Path / Trade-offs**

- Eric – Provides an overview of the proposal. This is more complicated because we're dealing with the performance path. Several moving parts that have to work together. We can't change the multiplier without changing the trade-offs. It may be helpful to have DOE help us with the correct multiplier. The 2024 IECC performance path takes us in a very different direction.

- Monica – Duct location has the highest amount of impact on overall performance rather than even equipment efficiency. It cannot be overstated how important that is. To have that excluded seems counterproductive to me.
- Eric – I should have talked about the duct location as well. Totally agree that ducting indoors has a huge impact on efficiency. What happened in 2024 is that there’s an assumption that you’ll only put 75% in foundations with basements and conditioned spaces. Our concern is the amount of unearned credit that gets lumped in here. We’re not trying to encourage the installation of ducts outside of conditioned space.
- Monica – Wonders if there is an option like including the ducts in conditioned space but not equipment.
- Steve – The reason statement reads, in part, “We’re maintaining Virginia’s current performance path approach to equipment trade-offs. That’s true, correct?”
- Eric – Correct. Virginia does not give credits for performance path tradeoffs, such as the location of equipment. The only change, though, is that we are adding an efficiency improvement in the multiplier, which we set to mirror the prescriptive path.

#### **REC-R408.2.9-24 – Appliance vs. Envelope Credit**

- Eric – Provides an overview of the proposal, prevents double-counting appliance efficiency and envelope efficiency.
- Bill P - Appliance efficiency is not equivalent to envelope efficiency; the envelope lasts the life of the building.
- Mike - Trading off thermal efficiency reduces passive survivability.

#### **EC-C402.4.2-24 – Skylight Exception for Data Centers**

- D.A. - Proposal exempts the “room or area where server cabinets are housed” from skylight daylighting requirements.
- Dennis - If a data center changes occupancy later, would skylights be required?
- D.A. – Change of use wasn’t factored; this is about new construction.

::Separate Discussion::

- Steve – Wouldn’t it be beneficial to look at what else might fall under this exception? So why not, before this goes too much further, think about what other things might fall under it?

- D.A. – Agrees. This could apply to other things. Open to modifying this to other spaces where people aren't occupying the space.
- Hana – The list of these spaces is based on square footage, not occupancy. Should this code be reworded to be about occupancy vs. square footage?
- D.A. – Yes. Agrees that this could be broadened to be more encompassing.
- Bill P – Understands the rationale for data centers since they add a huge amount of heat. If you keep it simple, it's easier not to impose restrictions than if you start trying to think of all other buildings that might benefit from special treatment. I can understand the heat production problem.
- D.A. – Wants to clarify that the proposal is just made for data centers and our intent is to keep it that way. If others in the group want to add another space, I am not opposed to that, but this proposal will stay just for data centers.
- Bill P – And what occupancy are these?
- D.A. – S.
- Kyle – They can be S, F, B. It's up in the air with what designers are calling them. There may not be uniformity across the Commonwealth. And this is a national problem, not just a VA problem. To D.A.'s point, we know there's a problem with skylights in data centers now, which is the point of this proposal. We want to make sure that before we try to expand this to potential problems, we address a known issue instead of a potential one.

General consensus: broad support among Bill P, speaking on behalf of himself, Dennis, Sarah, and Hana.

### **Other**

- It was noted that DOE has performed a cost-analysis specific to Virginia as compared to the 2024 IECC, but it has not yet been published.
- Mechanical ventilation “outside-air to return-duct” workaround – Suggested by Monica as a good subject for discussion by the various stakeholder groups. Participants were invited to further review the matter and explore potential solutions.
- Long-term durability & human behavior – Nicholas raised the subject of real-world data on 100-year performance. Participants shared their experience and provided feedback

### **Closing & Next Steps**

- Staff will circulate a written summary and post materials online.

- Members were encouraged to continue offline discussions and to submit any potential floor modifications to staff before the general workgroup meeting.
- Next meeting date TBD.

**Energy Sub-Workgroup  
Second Meeting Summary  
Date: September 29, 2025  
Location: Virginia Housing Center  
Time: 10:00 AM - 1:40 PM**

**Attendees:**

**VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director of Building and Fire Regulation
- **Florin Moldovan** – State Building Codes Office Director
- **Paul Messplay** – Code and Regulation Specialist, State Building Codes Office
- **Travis Luter** - Code and Regulation Specialist, State Building Codes Office
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office

**Sub-Workgroup Members:**

- **Corian Carney** – Independent Alliance of the Electrical Industry (IAEI), VA Chapter
- **Mason Trimble** – Virginia Department of Energy (VDEG)
- **Dwayne Smith** – Department of General Services (DGS), Division of Engineering and Buildings (DEB)
- **D.A. Pierce** - Virginia Building and Code Officials Association (VBCOA), Energy Committee
- **Steve Shapiro** – Apartment & Office Building Association of Metropolitan Washington (AOBA), Virginia Apartment and Management Association (VAMA)
- **Andrew Clark** – Home Builders Association of Virginia (HBAV)
- **Dennis Hart** - Virginia Plumbing and Mechanical Inspectors Association (VPMIA)
- **Bill Penniman** – Sierra Club, VA Chapter
- **Chelsea Harnish** – Virginia Energy Efficiency Council (VAEEC)
- **Eric Lacey** – Responsible Energy Codes Alliance (RECA)
- **Andrew Grigsby** – Viridiant, Sitting in for Andrew Green
- **Justin Koscher** - Polyisocyanurate Insulation Manufacturers Association (PIMA)

**Interested Parties:**

- **Mike Hamilton** – Virginia Building and Code Officials Association (VBCOA)
- **Ross Shearer** – Virginia Citizen
- **Susan Stillman** – Sierra Club, VA Chapter
- **Stuart Nuckols** – Viridiant

- **Ron Clements** – Chesterfield County
- **Kyle Kratzer** – Virginia Citizen
- **Monica Rokicki** – Better Building Works
- **Christopher Leyen** – Piedmont Environmental Council

## **Purpose**

The Energy Sub-Workgroup convened as part of Virginia’s 2024 code development cycle to review and discuss proposed changes to the state’s energy code provisions. The meeting brought together a diverse group of stakeholders—including state agency staff, builders, advocacy groups, code officials, industry representatives, and citizens—to collaboratively examine energy-related code change proposals prior to deliberations by the General Stakeholder Workgroup and consideration by the Board of Housing and Community Development (Board).

## **Top-line Themes**

### **1. Holistic vs. Incremental Change**

- Several speakers (e.g., Bill Penniman, Eric Lacey) argued that Virginia’s long-standing practice of “carrying-forward” weakening amendments prevents the state from seeing the cumulative benefits of the full model International Energy Conservation Code (IECC) and makes cost analysis difficult.
- Builder and owner representatives (HBAV, AOBA) favored a measured, incremental approach focused on cost and feasibility.

### **2. Statutory Scope / Minimum Code**

- Opponents to proposals on EV-readiness, renewable-energy appendices, and ceiling fans said such measures exceed the Uniform Statewide Building Code’s (USBC) minimum health-and-safety mandate.
- Proponents held that energy savings, air-quality benefits, and consumer cost reductions fall squarely within the Code’s public-welfare charge.

### **3. Cost-Impact Statements**

- Multiple commenters (Ron Clements, HBAV) said several proposals lack concrete cost impact data and documentation, making statutory consideration difficult.

### **4. Need for Additional Workgroups**

- Consensus to ask the Board to form a dedicated EV-readiness task group.
- Informal offline meetings planned on wall-insulation, blower-door testing credentials, and performance-path revisions.

## 5. Deadline Management

- a. Current deadline for final amendments is October 10th; DHCD staff is considering extending the deadline to allow additional time for stakeholders review and collaboration. Any changes to the deadline will be shared with stakeholders as soon as possible.

### Opening Remarks

**Bill P** observed that several proposals, particularly those involving the thermal envelope and various appendices are interrelated and could serve as the basis for a broader compromise. He urged the group not to dismiss any single proposal outright, noting that the 2024 IECC introduces numerous trade-off options (e.g., simulated performance and Energy Rating Index (ERI) paths) that complicate one-off decisions. Instead, he encouraged participants to integrate related items into a cohesive package that advances energy goals in line with the 2024 IECC's intent.

**Andrew C** clarifies that we are not taking any votes or recommendations that will be taken to the general stakeholder workgroup meeting on Oct. 3rd.

**Florin M** notes that the function of sub-workgroups is to provide an opportunity for discussion, collaboration, and compromise before the general stakeholder workgroup meeting. No official votes for support or non-support will be taken. Staff will note support or non-support of individual members, but a support vs. non-support roll call vote will not be counted. If all sub-workgroup members support a proposal, there is the opportunity to have the Energy SWG as a co-proponent on the proposal.

### General

**Justin K** asked how the sub-workgroup's discussion would feed into the upcoming General Stakeholder Workgroup (GSW) meeting.

**Florin M** explained that the sub-workgroup serves as a forum for dialogue and consensus-building; no formal votes are taken. Comments gathered here are shared with proponents so they can refine their proposals before the General Stakeholder Workgroup (GSW) meeting. Participants were urged to contact proponents directly with support, concerns, or suggested changes.

**Jeff B** added that today's remarks are for clarity and do not replace testimony at the GSW, where members should formally state their positions.

**Justin K** then inquired about the final deadline for submitting revised proposals.

**Florin M** said the current cutoff is October 10<sup>th</sup>, but staff are considering a brief extension; once a new date is set, it will be announced on cdpVA and other media.

*Note: The new submission deadline for proposals to be considered at the next GSW meeting is October 31, 2025.*

### **Commercial Code Proposals**

#### **B101.2 — Joseph Willis**

**Bill P** notes that the Sierra Club does not support this proposal and states that this code proposal may conflict with state law.

**Justin K** agrees with Bill and states that this is an incomplete proposal and will not accomplish the proponent's goals.

**Chelsea H** opposes this proposal and points out that most building owners do not own their buildings and that other points in the proponent's reason statement do not resemble what we know about commercial buildings.

**Eric L** and **Monica R** agree with the previous comments.

#### **B101.2(1) — Joseph Wages**

**Steve S** voiced opposition, stating that AOBA would be opposed to incorporating the energy appendices into the body of the code.

**Bill P** voiced support, stressing the value of development-phase trade-offs.

**Ron C** argued that the cost-impact statement is inadequate and asked what "cost-effective by PNNL" means.

**Andrew C** stated that HBAV is against the measure and asked for clarification as to whether the localities would have the discretion to adopt the appendices individually; **Florin M** clarified that the subject proposal would make the appendices mandatory statewide. **Andrew C** reiterated HBAV's opposition, citing weak cost impact and reason statements.

**Justin K** also objected, contending that the appendices address items, such as renewables and EV-ready wiring, that do not directly affect energy use and would dilute genuine efficiency requirements in the IECC.

**Monica R** added that, while the appendices may appear tangential to energy efficiency, they contain provisions intended to protect public health and welfare and could influence other parts of the code through feedback loops.

#### **EC-C402.1.6-24 — Bill Penniman**

**Eric L** concurred with **Bill P**, saying the exemption is overly broad and warrants deeper review, especially because it originated from advocacy groups with limited collaboration.

**Justin K** agrees with **Eric L** and **Bill P**. Anecdotally; PIMA has seen these buildings constructed with higher levels of energy efficiency. There are energy use exceptions in the code already where it would not make sense to put an envelope on a building that's unconditioned or underconditioned. Deleting this and taking a new look may move Virginia's policy goals forward, whereas the way it is currently written may hold back those policy goals.

**Chelsea H** supports

**Andrew C** stated HBAV does not have an opinion on this proposal. States HBAV have heard valid arguments for this proposal.

**Steve S** opposed the measure, asserting that its citation of the 2021 General Assembly implies a mandate to adopt the newest IECC, whereas the legislature only instructed regulators to "consider" the current edition.

#### **EC-C403.7.4.1-24 — Joseph Willis**

**Bill P** expressed reservations, noting that the proponent relies on a 2015 Virginia Mechanical Code allowance for natural ventilation via operable windows, even though most modern buildings lack such windows.

**Monica R** concurred, pointing out that energy-efficient "tight" buildings typically require mechanical rather than natural ventilation.

**Andrew G** warned of unintended consequences: using a 1.5-ton air handler to deliver 80 cfm when a building needs only 30 cfm would force the unit to run roughly 14.5 hours a day, increasing operating costs. He urged a cost-effective solution that meets airflow requirements while safeguarding occupant health, safety, and welfare.

**EC-C405.17-24 — Joseph Wages & EC-C405.17(1)-24 — Bill Penniman**

**Bill P** outlined his EV-readiness proposal, explaining that it mirrors **Joseph W's** submission but adds key definitions to cover the spectrum from full EV chargers to conduit-only “make-ready” infrastructure.

**Steve S** opposed both versions, arguing that the USBC is a minimum code and that EV provisions exceed the health-and-safety threshold; he recommended creating a dedicated workgroup, noting fire-service concerns about thermal runaway.

**Florin M** reported that comments from **Andrew Milliken** had been forwarded to the two proponents.

**Andrew C** said the Virginia Association for Commercial Real Estate also has reservations, particularly about parking-space ratios.

**Ron C** contended the proposals fall outside the USBC's statutory scope and lack concrete cost data for the required EV stations.

**Bill P** countered that future-outlet requirements are common in building codes and that EV readiness serves public health, safety, and welfare. He would support forming a workgroup if the proposals do not advance. He further noted that DHCD staff submitted a proposal last cycle to include EV charging requirements at the request of two legislators.

**Florin M** clarified that, at times, staff will submit proposals on behalf of legislators as a courtesy, but staff do not submit proposals of this nature on behalf of DHCD.

**Steve S** asked why the reason statement references the residential code; **Bill P** said the intent is to show consistency across occupancy types.

**Monica R** backed the concept but agreed that a workgroup is needed, calling EV infrastructure essential for resiliency and emergency response.

**Florin M** confirmed staff will relay the request for an EV-readiness workgroup to the Board.

**Andrew C** highlighted the difference between multifamily and one- or two-family dwellings, implying any mandate should distinguish between them.

## **EC-1301-24 — Bill Penniman**

**Bill P** introduced the proposal which would eliminate all of Virginia’s weakening energy code amendments for new construction and emphasized that this would not affect existing buildings. He further noted that this proposal would require any retained deviations from the model IECC to be re-justified each cycle.

**Eric L** said Virginia is unusual in perpetuating decades-old amendments whose original analyses are obsolete; significant “weakening” provisions should be reconsidered.

**Justin K** agreed in principle, arguing that perpetual carry-overs distort baseline cost-effectiveness analyses and make future upgrades appear larger than they are.

**Chelsea H** supported the proposal, warning that Virginia’s many amendments, combined with new IECC trade-off options, could markedly reduce overall efficiency.

**Bill P** added that DOE/PNNL studies show each IECC update yields net occupant savings, so realigning with the model code benefits consumers.

**Andrew C** opposed “wiping the slate clean,” stressing that 2021 Virginia amendments reflect local consensus and that only a handful of states adopt the IECC unamended. He linked code costs to housing affordability.

**Steve S** viewed the proposal as an indirect attempt to force full adoption of the IECC.

**Jeff B** addressed previous comments regarding carrying forward amendments approved in previous code cycles in Virginia, noting that existing amendments are part of the legally approved regulation; wholesale deletion would override prior Board decisions.

**Ron C** said many cost-impact statements lack concrete figures, making statutory evaluation difficult.

## **Residential Code Proposals**

### **REC-R402.1.2-24 — D.A. Pierce**

**D.A. Pierce** presented his proposal to increase prescriptive wall insulation values (while ceiling insulation would default to R-49 under the 2024 IECC unless separately amended).

**Andrew C** thanked **D.A. Pierce** and asked whether any ceiling-insulation change would require a separate proposal. **Pierce** confirmed that, absent an amendment, Virginia will automatically move to R-49 for ceilings.

**Monica R** voiced support.

**Justin K** described the measure as the sort of incremental improvement needed to phase out older weakening amendments.

**Bill P** and **Eric L** preferred full adoption of the 2024 IECC wall values statewide but accepted this as a partial step. **Bill P** suggested including a separate option for single-family detached dwellings; **Eric L** noted Virginia has missed two successive national upgrades and that more than 250,000 homes have been built with sub-par insulation since 2012.

**Andrew G** asked how the change would affect the Performance path baseline.

**Florin M** replied that it is premature to provide an answer given that there is still time in the process to submit code change proposals, and the Board will not take a position on any of the proposed changes and the existing amendments until later in the process.

**D.A. Pierce** clarified that builders must choose one of three compliance paths—Prescriptive, Total Building Performance (Performance), or ERI. His proposal alters only the Prescriptive path; ERI still references the 2006 baseline, and Total Building Performance references the current model code.

**Bill P** questioned whether the ERI and Performance paths indirectly reference the same insulation table; **Eric L** and **Dennis H** answered that ERI does not, but the Performance (Simulated Building Performance) path does, meaning a companion proposal might be needed.

**Dennis H** said VPMIA fully supports the proposal.

**Chelsea H** appreciated the effort and, while withholding a formal position, reiterated her organization's desire for higher wall insulation overall.

*Participants agreed to continue offline discussions, with **Bill P** requesting resolution by October 3rd.*

#### **REC-R402.1.2(1)-24 & REC-R402.1.2(2)-24 — Eric Lacey**

**Eric L** outlined his insulation-upgrade proposal but said he is inclined to withdraw it and instead support **D.A. Pierce’s** more incremental wall-insulation amendment, even though he would still prefer larger gains in both wall and ceiling R-values.

**Bill P** endorsed **Eric L’s** proposal in principle but recommended deferring this and the following two proposals from the October 3<sup>rd</sup> General Stakeholder Workgroup agenda.

**Monica R** said she supports the idea of R-60 attic insulation, “in theory,” yet finds it impractical: thicker insulation can make HVAC equipment harder and riskier to service while offering only marginal energy savings. She believes R-49 is the optimal level and that greater efficiency gains can be achieved by focusing on other parts of the code.

#### **REC-402.1.2(4)-24 – Bill Penniman**

**Bill P** provides an overview of his proposal noting that it is substantively identical to **Eric Lacey’s** wall-insulation proposal. He noted that since other proposals covering the same topic areas may be tabled from the October 3<sup>rd</sup> General Stakeholder Workgroup Meeting, this proposal may need to be tabled, too, while proponents work toward a consensus proposal.

**Florin M** noted, with regard to tabling proposals from the October 3<sup>rd</sup> General Stakeholder Workgroup Meeting, that staff will table proposals at the request of the proponent and encouraged those entertaining tabling a proposal inform staff as soon as possible so stakeholders can be notified ahead of the October 3<sup>rd</sup> meeting.

#### **REC-R402.4.1.2-24 — Eric Lacey**

**Eric L** presented proposal REC-R402.4.1.2-24, which adjusts blower-door testing targets for small dwelling units and addresses tester qualifications.

**Steve S** said his groups have no position on this proposal and asks whether this code change, which references attached multi-family developments, belongs in the Residential provisions of the VECC.

**Eric L** responded that his proposal would include dwelling and sleeping units detached or are located in R-2 occupancies, so it could be 3-story, garden style apartments.

**Steve S** states that those occupancies are outside of the scope of the Residential provisions of the VECC.

**Florin M** clarified that the amendment falls under the Residential portion of the IECC and therefore applies to all residential occupancies up to three stories, including both R-2 multifamily and single-family homes. If this proposal were to be approved by the Board for inclusion in the USBC, there would be provisions that fall within Chapter 4 of the VECC and Chapter 11 of the Virginia Residential Code (VRC), as there are provisions that would impact single-family dwellings.

**Andrew G** endorsed the change, noting that small units often struggle to meet the current air-leakage target because the requirement is scaled to building volume, favoring large homes. Notes that Virginia needs to provide flexibility for smaller dwelling units to achieve this standard.

**Monica R** agreed, stating that tighter targets are harder for small enclosures.

**Dennis H** said the most pressing issue is who performs the tests; qualifications should be defined. Noted that, compared to the model code language, Virginia's language is more stringent and should be maintained.

**Eric L** responded that he is open to specifying tester credentials.

**Andrew G** added that some referenced certifications are being phased out.

**Monica R** warned against allowing installers (e.g., insulation or mechanical contractors) to test their own work, citing conflict-of-interest concerns.

**Eric L** noted a similar compromise was reached on duct-leakage testing and is willing to pursue one here.

**Bill P** indicated support for this and a related proposal submitted by himself on behalf of Sierra Club - VA Chapter, suggesting possible consolidation.

**Florin M** asked **Eric L** and **Bill P** to consider merging or withdrawing duplicative submissions to reach a single consensus proposal.

**Justin K** inquired whether jurisdictions keep approved lists of third-party testers.

**D.A. Pierce** said Roanoke requires testers to complete a registration form before testing.

**Steve S** explained that “approved” simply means accepted by the local building department; the code mandates a third-party policy in general, but not a formal roster or list of approved third-party testers.

**Andrew G** noted that some localities do maintain such lists.

**Florin M** notes that the next proposal, REC-R402.4.1.2(1)-24, authored by **Bill P** and which was not officially announced, is similar to **Eric L’s** proposal, REC-R402.4.1.2-24, both in content and in scope.

#### **REC-R403.14-24 — Bill Penniman**

**Steve S** objected, stating that the building code is intended to set minimum standards, and mandating ceiling fans goes beyond that intent.

**Corian C** opposed the proposal and added that the National Electrical Code (NEC) already requires the installation of ceiling fan boxes where a fan might be placed, giving occupants the choice to install a ceiling fan.

**Dennis H** questioned what is meant by the term “planned principal living area.”

**Kyle K** agreed, noting that if such a term is used, it must be clearly defined.

**Bill P** responded that he would be amenable to limiting the requirement to sleeping rooms only, as ceiling fans can deliver meaningful energy savings by allowing higher thermostat settings.

**Eric L** acknowledged the effectiveness of ceiling fans and appreciated that the NEC already addresses the necessary infrastructure.

**Monica R** supported the proposal from an energy perspective but expressed design concerns, mentioning that some clients have safety fears related to ceiling fans.

**Corian C** pointed out that such concerns are why the NEC requires appropriate ceiling fan boxes, to allow for future safe installation.

#### **REC-R404.5-24 — Bill Penniman & REC-R404.5(1)-24 — Joseph Wages**

**Florin M** announced that the two similar proposals—REC-R404.5-24 from **Bill Penniman** and REC-R404.5(1)-24 from **Joseph Wages**—would be discussed together. **Bill P** then provided an overview of the proposals.

- **Ross S** shared research on the differences between 110V and 220V charging noting a 10% loss when charging on 220V compared to 15-17% on 110V, with the reason being the length of time it takes to charge on 110V.
- **Florin M** shares on the screen proposed new Section 404.5.2.4, which addresses the charging capacity for these installations and requires a 30amp or 208/240V circuit.
  - **Ross S** confirms that the Section shared by **Florin M** on the screen answers his question.
- **Kyle K** asked whether the requirement applies to onsite private parking in multi-family developments and if 50% of those spaces would need to be EV ready.
  - **Bill P** confirmed that was the intent.
- **Kyle K** asked if, in a multi-bay residential garage, only one bay would need to be equipped with EV charging readiness.
  - **Bill P** confirmed that was the intent.
- **Corian C** noted that the NEC is working on EV charging standards for future code editions and stated that IAEL does not support this proposal in its current form. **Kyle K** asked if **Corian C** had a copy of the proposed NEC language and **Corian C** indicated that proposed NEC language is not yet available.
- **Ron C** raised concerns that the proposal may be outside the statutory scope of the building code and stressed that cost impact statements should include actual, concrete compliance costs.

#### **REC-R404.6-24 — Bill Penniman**

- **Steve S** noted that there is a reason these solar panel provisions are included in the appendix. They are optional because they are above code requirements. AOBA is in opposition. Further, these provisions are in the appendix to provide guidance to those who choose to have these systems installed.
  - **Bill P** states that since most houses are built as projects, the choice won't be available unless they are a retrofit.

#### **REC-R404.7-24 — Bill Penniman**

- **Monica R** expresses support.

#### **REC-R405.2-24 — Eric Lacey**

- **D.A. Pierce** stated opposition to the proposal, arguing that it increases requirements beyond the base code.
- **Justin K** noted from a practical standpoint that homeowners have limited options for improving envelope efficiency after construction.
- **D.A. Pierce** asked if this proposal would modify the model code requirements for ERI path requirements.
  - **Eric L** clarified that the proposal does not affect the ERI path, which is rarely used, but only applies to the Performance path (Section R405). He explained that the proposal is aimed at closing loopholes that allow for less stringent outcomes than the prescriptive path.
  - **D.A. Pierce** acknowledged the proposal is complex and thanked **Eric L** for the clarification.
- **Monica R** asked whether the energy savings from the 4% duct allowance within the building enclosure were considered.
  - **Eric L** responded that no specific analysis was provided regarding multipliers or potential free-rider credits, and it is uncertain how many home designs would change as a result; no formal analysis was included.

#### **REC-R405.2(1)-24 – Bill Penniman**

- **Florin M** addresses the group and notes that if there are two proposals addressing the same section, such as this proposal and the previous proposal by **Eric L**, staff will identify these proposals for the Board to make them aware of the competing outcomes if both proposals are approved.
  - **Bill P** provides an overview of the proposal, and no further discussion occurred.

## **REC-R408.2.9-24 — Eric Lacey**

**D.A. Pierce** stated that VBCOA supports this proposal, as well as any measures that provide loopholes for reducing wall insulation requirements.

**Bill P** interpreted the proposal differently, expressing a preference for retaining the current language in Section R408.2.9. He emphasized that while he does not believe the proposal would undermine the integrity of the thermal envelope, it would reduce overall energy efficiency.

**D.A. Pierce** reiterated his view that the thermal envelope is a long-lasting building component, so weakening its requirements could have future negative impacts, particularly as HVAC equipment is upgraded with the expectation of certain insulation levels.

**Justin K** supported deleting the existing provisions, arguing that they diminish long-term energy savings.

**Eric L** added that, as seen in states like Illinois that adopt the full 2024 IECC, RECA recommends deleting these provisions; he asserted that such measures are not equivalent and that they sacrifice lasting efficiency for short-term benefits.

**Monica R** likened the trade-off provisions to "blindfolded archery," suggesting they are unpredictable and risky.

**Bill P** noted that if the 0.60 U-factor from the 2024 IECC is adopted, this change should be viewed as an additive measure—complementary to other proposed improvements in the thermal envelope, not detracting.

### **Assignments and Next Steps:**

**Florin M** noted that staff will develop a summary of the meeting and will distribute it to the group once completed. He further noted that staff is considering moving the deadline for the submission of code change proposals ahead of the 3<sup>rd</sup> General Stakeholder Workgroup Meeting until a later date and will notify the stakeholders accordingly. Members of the sub-workgroup were encouraged to meet and continue discussions in furtherance of consensus building. Further, **Florin M** stated that staff are available to attend offline meetings and discussions if available and if requested by the members. Lastly, **Florin M** asked that any proponents seeking to table a proposal from the October 3<sup>rd</sup> General Stakeholder Workgroup Meeting to notify staff as soon as possible so that stakeholders can be made aware ahead of the meeting.

The meeting concluded at 1:40 PM.

**Energy Sub-Workgroup  
Third Meeting Summary  
Date: November 14, 2025**

**Location: 4224 Cox Rd, Glen Allen, VA 23060 - Virginia Housing Center  
Time: 10:00 AM**

**Attendees:**

**VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director of Building and Fire Regulation
- **Florin Moldovan** – State Building Codes Office Director
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office
- **Rajan Engh** - Training and Development Specialist, Virginia Building Code Academy
- **Amy Fottrell** – Policy Analyst, Policy and Legislative Services

**Sub-Workgroup Members:**

- **Andrew Clark** – Home Builders Association of Virginia (HBAV)
- **Andrew Grigsby** – Viridian, Sitting in for Andrew Green
- **Bill Penniman** – Sierra Club, VA Chapter
- **D.A. Pierce** - Virginia Building and Code Officials Association (VBCOA), Energy Committee
- **Dennis Hart** - Virginia Plumbing and Mechanical Inspectors Association (VPMIA)
- **Eric Lacey** – Responsible Energy Codes Alliance (RECA)
- **K.C. Bleile** – Virginia Energy Efficiency Council (VAEEC), Sitting in for Chelsea Harnish
- **Mason Trimble** – Virginia Department of Energy (VDEG)
- **Michael Rhodes** - Polyisocyanurate Insulation Manufacturers Association (PIMA)
- **Mike O'Connor** – Virginia Petroleum and Convenience Marketers Association (VPCMA), Virginia Propane Gas Association (VAPGA)
- **Sarah Thomas** – Virginia Association for Commercial Real Estate (VACRE)
- **Scott Pedowitz** - Apartment & Office Building Association of Metropolitan Washington (AOBA), Virginia Apartment and Management Association (VAMA), Sitting in for Steven Shapiro
- **Sydney Roberts** - Southeast Energy Efficiency Alliance (SEEA)
- **William Abrahamson** – American Institute of Architects, Virginia Chapter, Sitting in for Hana Nguyenky

### **Interested Parties:**

- **Bob Shippee** – Private Citizen
- **Chris Leyen** – Piedmont Environmental Council
- **Kara Alley** - HBAV
- **Michelle Coward** - VBCOA
- **Mike Hamilton** – VBCOA
- **Stephen Evanko** – VAEEC
- **Stuart Nuckols** – Viridiant
- **Susan Stillman** – Sierra Club, VA Chapter

### **Purpose**

The Energy Sub-Workgroup convened as part of Virginia’s 2024 code development cycle to review and discuss proposed changes to the state’s energy code provisions. The meeting brought together a diverse group of stakeholders—including state agency staff, builders, advocacy groups, code officials, industry representatives, and citizens—to collaboratively examine energy-related code change proposals prior to deliberations by the General Stakeholder Workgroup and consideration by the Board of Housing and Community Development (Board).

### **Proposal Discussions**

#### **REC-R402.1.2(1)-24 - Eric Lacey**

**Eric L** provided an overview of the proposal which maintains Virginia’s current ceiling R-value insulation requirements whereas the 2024 International Energy Conservation Code (IECC) increases them.

**Bill P** noted that projected energy costs will increase and the savings from additional insulation will compound over the years. **Bill P** and **Michael R** were in support.

**Scott P** was opposed.

#### **REC-R402.4.1.2-24 - Eric Lacey**

**Eric L** provided an overview of the proposal which deletes Virginia specific amendments to the air leakage requirements with the intent to incorporate the 2024 IECC testing requirements.

**D.A. Pierce** expanded that this proposal is for R-5 use occupancies, which in Virginia are single-family and two-family dwelling homes including townhouses, and R-3 in Virginia for residencies in a mixed occupancy building. VBCOA supports this for R-5 occupancies only and requested that the proposal is amended.

**Jeff B** clarified that as written, the proposal is eliminating the requirements in this section in the Virginia Energy Conservation Code (VECC) which applies to anything under the International Residential Code (IRC), as well as low-rise residential under the VECC. The testing requirements would apply in the Virginia Residential Code (VRC) to R-5 and the VECC to other R-use groups that fall within the low-rise residential guidelines.

**Florin M** suggested that it could be beneficial for the Board if **D.A.** could clarify why this proposal is acceptable for a single-family home but not an R-3.

**Bill P** asked what is an R-3 that is not an R-5.

**Florin M** provided townhouses over three stories in height, as an example, which are commonly classified as R-3.

**Sydney R** supported the proposal and stressed that smaller units are at a disadvantage in the 2021 Virginia codes because the ratio of volume per square footage changes as the unit gets smaller and would be at an advantage if the 2024 IECC language were adopted.

**Scott P** was opposed and preferred the Virginia amendments.

**Eric L** pointed out that the primary cost of blower door testing is the test itself and that is already in Virginia's code. Going from 5 to 3 air changes per hour are not going to require extra or new materials and Virginia builders are probably already achieving this. Trading off the air leakage in the performance path would be allowed with the 2024 IECC language.

**Andrew G** concluded that this proposal gives flexibility that would be good for the industry moving forward. The real cost for a tighter home is installing the ventilation system and testing.

#### **REC-R402.4.1.2(1)-24 – Bill Penniman**

**Bill P** stated that this proposal is similar to **Eric L's** proposal, so no additional discussion was needed.

#### **REC-R403.14 - Bill Penniman**

**Bill P** provided an overview of the proposal which adds a requirement for ceiling fans to be installed in each bedroom. This proposal has changed from originally applying to bedrooms and the principal living area to now being limited to bedrooms only.

**Scott P** was opposed. Stated that this is micro managerial of people's lifestyles and this proposal is legislating people's bedrooms in the code.

**Eric L**, speaking for himself, supported the proposal as ceiling fans are more likely to have integrated controls if installed during construction.

**Andrew C** asked if wiring for ceiling fans is installed in new homes currently. After confirmation from the group, **Michael R** asked if the box in the ceiling is adequate for supporting the fan or just the electrical wires for the ceiling fan.

**Florin M** provided that there was a change in the 2021 IRC and the National Electrical Code (NEC) that if there is an outlet box installed in the ceiling, then the box must be listed and labeled for supporting a ceiling fan, with the exception of where the box is in close proximity to a wall and a ceiling fan cannot be installed.

**Andrew C** questioned if requiring ceiling fans can be cost prohibitive in the future when the consumer already has a choice to install or not install a ceiling fan and the infrastructure is already there to install a fan if the consumer so chooses.

**Bill P** countered that hiring an electrician to do the work after the home is built is more expensive than during initial construction.

#### **REC-R404.1-24 - Andrew Clark**

**Andrew C** provided an overview of the proposal which restores the 10 percent allowance from the 2018 VECC for lighting fixtures not to contain high-efficacy lamps.

**Dennis H** questioned how a code official would enforce it.

**Andrew C** reminded the room that the requirement was in the code before, thus it would be handled in the same manner it was handled prior.

**Andrew G** noted that the requirement used to be 50 percent.

**Eric L** was opposed due to the reduction in efficiency which weakens the standard that currently applies.

**Sydney R** was also opposed and doesn't see a reason to reserve the 10 percent. She also questioned how this affects inspectors and plan reviewers and how this is implemented.

**Dennis H** responded that most localities aren't doing trade reviews on residential so it would be up to the inspector, and he would be surprised if it was being looked at in the field.

**Scott P** supported the proposal.

#### **REC-R404.2-24 - Andrew Clark**

**Andrew C** provided an overview of the proposal which deletes the automatic shutoff control requirements for lighting.

**Andrew C** also introduced possibly removing exterior lighting controls into his proposal as a floor modification at the final General Stakeholder Workgroup Meeting.

**Mike H**, speaking for himself, stated that electricians seem to have a challenge selecting and installing the correct sensors and will cause a lot of frustrated homeowners.

**Eric L** was opposed to any roll back in efficiency in any current Virginia requirements.

**Scott P** supported the proposal.

**Andrew C** asked **Eric L** what the driver of his opposition was.

**Eric L** responded that these things save energy and that is why they are in the code.

**Bill P** also opposed and expressed that 20 minutes for a light to automatically turn off after an occupant has left a room is a long time.

**Michael R**, speaking for himself, stated opposition to this proposal as written, but is open to a minor tweak, if possible, instead of eliminating the entire proposal.

**Sydney R** was also opposed and noted that there may be a relationship between this proposal and proposal REC-R404.1-24. **Sydney R** highlighted that they should

make sure that the code requires controls on non-high-efficacy luminaires if there are exceptions that may get adopted.

#### **REC-R404.5-24 - Bill Penniman**

**Bill P** provided an overview of the proposal which introduces new definitions and requirements for electrical vehicle charging spaces and equipment near new residential developments. The original proposal has been modified by adding language to the exceptions.

**Dennis H** brought up that newly added Exception 4 to proposed new Section R404.5.2.4, is adding UL 2202 and UL 2594. These appear to be new standards as they are not referenced in the commercial or residential provisions of the 2021 code. Typically, new standards are submitted with proposals so that they can be vetted by the stakeholders and ensure that they do not contain non-enforceable language.

**Bill P** commented that he did not have copies of UL2202 and UL2594 to share and would remove the standards from the exception if he could not get access to them and that was a concern.

#### **REC-R405.2-24 - Eric Lacey**

**Eric L** provided an overview of the proposal which maintains Virginia's current requirements for the Simulated Building Performance Compliance option and eliminates efficiency tradeoffs for heating, cooling, and water heating equipment that were adopted in the 2024 IECC.

**D.A. Pierce** opposed the proposal. VBCOA does not agree with changes to the model code requirements with software simulated performance as they do not support adding more stringent requirements for homeowners.

**Eric L** countered that changing the annual energy cost from 85 percent to 89 percent of the standard reference design is less stringent than the model code, but it removes the equipment tradeoff from the performance path that is not part of Virginia's code. The goal is to keep what Virginia already has but improve efficiency as much as the 2024 model code improves efficiency.

**D.A. Pierce** simplified the proposal as a removal for the allowance for tradeoffs. He noted his own experience as a plan reviewer, that it is not common for builders to

use these software-based paths of compliance as they use the prescriptive path. And VBCOA's concern is that they don't want to add additional requirements to homeowners if they choose to use the performance path.

#### **REC-R405.2(2)-24 - Eric Lacey**

*Note: The original proposal number was REC-R405.2(1) but was changed to REC-R405.2(2) due to a naming conflict with another proposal submitted prior.*

**Eric L** provided an overview of the proposal which modifies the 15 percent maximum trade-off cap in the IECC to 8 percent in the performance compliance path for an anticipated adoption of R-20 wall insulation in the 2024 VECC.

**Bill P** pointed out that this proposal's success might be dependent on the outcome of the wall insulation and air leakage proposals and recommended **Eric L** have a floor modification prepared at the next General Stakeholder Workgroup Meeting.

**Florin M** added that the fate of any proposal is unknown until the Board makes their decisions. There will be several competing proposals with several different outcomes. Staff will try to highlight competing proposals for the Board's convenience.

**Bill P** proposed linking proposals if there is broad support.

**Florin M** reemphasized that the purpose of these meetings is to bring stakeholders together to discuss proposals and facilitate consensus building wherever possible. That may involve a "give and take" between proponents to get consensus on as many proposals as possible. **Florin M** strongly encouraged further discussion outside of this meeting before the final General Stakeholder Workgroup Meeting.

**Michael R** supported this proposal because envelope trade offs can have unintended consequences.

**Sydney R** supported this proposal.

**Andrew G** brought up that wall insulation is the most long-term investment in the home that can be made upfront and the most intrusive to upgrade as the home ages and that working together to reach consensus promotes ongoing affordability.

#### **REC-R408.2.9-24 - Eric Lacey**

**Eric L** provided an overview of the proposal and clarified that the existing provisions only apply where the required wall insulation is greater than R-20. This new section should be deleted as it is not applicable in Virginia.

**D.A. Pierce** and **Michael R** supported the proposal.

#### **EC-C402.1.6(1)-24 - Bill Penniman**

**Bill P** provided an overview of the proposal which limits the use of Appendix CD Building Envelope Requirements to Groups F, S, and U if they are not equipped to heat the interior to more than 60°F or to cool the interior other than by fans or natural ventilation.

**Eric L** supported the proposal.

#### **EC-C403.7.4.1-24 - Joseph Willis**

*Note: the proponent was not in attendance.*

**Florin M** provided an overview of the proposal which adds an exception that non-transient dwelling units, where the ratio of required outdoor air to supply air is less than 10 percent, do not have to be provided with outdoor air energy recovery ventilation systems.

**Bill P** opposed the proposal because the solution assumes operable windows and a lot of commercial buildings don't have operable windows. **Eric L** agreed and opposed the proposal.

**Sydney R** opposed the proposal as the solution is narrow when there are a lot of solutions that could meet the outdoor air requirements of less than 10 percent.

**Mike Hamilton** spoke for himself and asked what ratio of units would be exempt with this language as this could capture a lot of dwelling units.

**Bill P** responded that the assumption was that was the intent.

**Sydney R** surmised that it would be close to 100 percent for dwelling units.

#### **EC-C405.15-24 – Steve Shapiro**

**Scott P**, speaking on behalf of **Steve S**, provided an overview of the proposal which removes the requirements for renewable energy systems because of feasibility issues because rooftop structures are not typically designed for these systems.

**Bill P** opposed the proposal. **Bill P** sent **Steve S** an alternative to the proposal, which keeps Sections C405.15 and C405.15.1 but eliminates Sections C405.15.2 through C405.15.4.

**Dennis H** was opposed to **Bill P's** proposed modification to the original proposal as battery storage of these energy systems is very expensive and will increase the cost of construction.

**Bill P** replied that storage is not required, and the goal is to find a simple way to get solar on rooftops to help lower costs.

**Sydney R** asked if Appendix CB Solar-Ready Zone of the 2024 IECC could be a consensus alternative.

**Eric L** opposed the original proposal from **Steve S**.

#### **EC-C405.17(1)-24 - Bill Penniman**

**Bill P** provided an overview of the proposal which introduces new requirements related to electric vehicle charging into the code.

**Andrew C** asked if commercial or multi-family buildings would override the local zoning ordinance requirements on parking.

**Bill P** answered that it would not, and it addressed shared parking with gas powered vehicles.

#### **EC-C409-24 - William Abrahamson**

**William A**, speaking for himself, provided an overview of the proposal which introduces a new, separate compliance path for commercial and residential buildings based on Phius' software.

**D.A. Pierce** inquired how this is different from the Total Building Performance option already in the code.

**William A** responded that the Total Building Performance path has a different criteria and reporting path.

**Bill P** supported the proposal because it offers a way to achieve a net zero energy building.

**Dennis H** remarked that there is no current path in either the commercial or residential provisions to get to the new Section 409 that is being proposed. Charging statements are needed in the proposal.

**Florin M** asked the proponent if this new option will also require compliance with all the other energy code requirements; and whether the intent was for this to be a separate and distinct compliance path, in addition to those already allowed by the code?

**William A** declared that the prescription compliance path is included in Phius, and it is equal to or better than what is required in the 2024 IECC. The intent was for this to be an additional compliance path.

**Florin M** noted that floor modifications are allowed to be introduced at the General Stakeholder Workgroup Meeting and if that was the intent, recommended to add language to the proposal, in Section C401.2.1, indicating that the Phius path is a separate compliance option as an alternative to the compliance options that already exist.

**Mike H**, speaking for himself, had concerns regarding certifications that require payment to a private organization which results in a “pay to comply” structure.

**Michael R**, speaking for himself, asked why the requirements and documentation need to be added to the code as an additional path if this new path already complies with the requirements of the code.

**D.A. Pierce** vocalized that in Section R405.3.1 Compliance software tools, a building official can accept any software path of compliance so long as it demonstrates that it meets or exceeds the minimum requirements of building codes.

**Dennis H** reiterated **Mike H's** concern that the proposal is specifically inserting Phius into the code as a “pay to play” option that verifies compliance with the code. There is already a pathway to use software in the code to achieve this. **Dennis H** recommended that Phius provides training to code officials to familiarize them with the software.

**Eric L** opposed the proposal and opposed stand-alone alternatives.

#### **EC-1301-24 - Bill Penniman**

**Bill P** stated that this proposal deletes Virginia amendments to the IECC. Many parts of this proposal have already been discussed separately so there is no need to discuss them in this proposal.

#### **EB805.2.1.1 – Allison Cook**

*Note: the proponent was not in attendance.*

**Florin M** provided an overview of the proposal which intends to provide an additional exception in the Virginia Existing Building Code (VEBC) regarding allowing visual inspections of the building envelope to be acceptable for meeting the air sealing criteria for additions.

**Bill P** was opposed to visual inspections as the only criteria.

**Sydney R** suggested that there be consideration with respect to the size of the addition in relation to the existing building or gut rehabilitation.

**Florin M**, in response to questions from the group, summarized that the VEBC baseline requirement is that the building envelope assemblies must comply with the requirements of new construction which includes testing, and this proposal adds an exception to the baseline requirement, and further clarified that the proposal applies to additions, not alterations.

**Andrew C** supported this proposal.

#### **REC-R402.1.2-24 – D.A. Pierce**

**D.A. Pierce** informed the group that they are collaborating with stakeholders offline and would like to carry the proposal over to the General Stakeholder Workgroup meeting without additional discussion during this meeting.

### **REC-R402.1.2(2)-24 – Eric Lacey**

**Eric L** informed the group that no discussion was necessary as the success of this proposal depends on **D.A. Pierce's** proposal.

### **REC-R402.1.2(4)-24 – Bill Penniman**

**Bill P** informed the group that no discussion was necessary as the success of this proposal depends on other proposals already discussed.

### **REC-R402.1.3 – Andrew Clark**

**Andrew C** provided an overview of the proposal which introduces exceptions to a new section in the 2024 IECC and the 2024 IRC, specifying insulation requirements for roof truss framing separating conditioned and unconditioned spaces.

**Eric L** pointed out that a similar proposal was submitted for the 2027 IECC that was not approved and recommended that **Andrew C** verify the similarities as it could have an impact on the fate of the proposal if there are similarities.

### **Assignments and Next Steps:**

**Florin M** noted that staff will develop a summary of the meeting and will distribute it to the group once completed. Members of the Sub-Workgroup were encouraged to continue discussions in furtherance of consensus building. **Florin M** stated that staff will make every effort to attend offline meetings and discussions if available and if requested by the members. Further, **Florin M** asked any proponents seeking to add floor modifications to notify staff no later than a few days before the final General Stakeholder Workgroup Meeting so there would be time to prepare potential documentation.

**Florin M** expressed appreciation to the group for their time and efforts throughout the process and for their dedication towards improving Virginia's codes and encouraged everyone to attend the General Stakeholder Workgroup meetings on December 11-12, 2025.

## Tab 10

### Study Group Meeting Summaries

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Single Exit Stair Study Group Meeting Summary June 24, 2025	Tab 10 – Page 9
Expediting Permits and COs Study Group Meeting Summary June 25, 2025	Tab 10 – Page 19
Unsafe Structures Study Group Meeting Summary August 27, 2025	Tab 10 – Page 29



**Heating and Cooling Study Group**  
**First Meeting Summary**  
**Date: June 23, 2025**  
**Location: Virginia Housing Center**  
**Time: 10:33 AM – 1:27 PM**

**Attendees:**

**VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director, Division of Building and Fire Regulation
- **Florin Moldovan** – Code and Regulation Specialist, State Building Codes Office
- **Paul Messplay** – Code and Regulation Specialist, State Building Codes Office
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office
- **Andrew Malloy** – Policy Analyst

**Study Group Members:**

- **Delegate Elizabeth Bennett-Parker** – Virginia House of Delegates 2025, 5<sup>th</sup> District
- **Shahriar Amiri** – Arlington County
- **Steve Shapiro** – Virginia Apartment Management Association, Apartment & Office Building Association of Metropolitan Washington
- **Earl Weaver** – Virginia Building and Code Officials Association, Virginia Property Maintenance Code Committee
- **Dennis Hart** – Virginia Plumbing and Mechanical Inspectors Association
- **Gregg Fields** – City of Alexandria
- **Andrew Clark** – Home Builders Association of Virginia

**Interested Parties**

- **Mike O'Connor** – Virginia Petroleum and Convenience Marketers Association, Virginia Propane Gas Association

**Purpose:**

The Heating and Cooling Study Group brought together local building officials, property managers, code officials, DHCD staff, and legislators to review possible updates to Virginia's Property Maintenance Code. The discussion centered on heating and cooling

requirements for multi-unit residential buildings, including seasonal transition dates and system constraints with an emphasis on dwelling units intended to be rented, leased or let on terms, either expressed or implied, to furnish heating or cooling to the occupants thereof.

### **Background Discussion**

- **Florin** provided background on the study group's formation and the relevant code history.
- **Background Discussion Points:**
  - **Enforceability:** Generally, the Virginia Property Maintenance Code (VPMC) requires buildings to be maintained as constructed, but there's complexity with the enforcement of heating and cooling provisions. There are disconnects between the construction requirements in the Virginia Construction Code (VCC) and the Virginia Mechanical Code (VMC), and the maintenance requirements in the VPMC.
    - Shahriar – Do we have temperature settings in the [Virginia Residential Code]?
      - Florin – Yes.
      - Shahriar – What would [those] be?
      - Florin – I believe 68 degrees (F). We have the model codes and then the [Virginia] amendments for those [buildings] that are leased, rented, or let.
    - Florin – There are a lot of considerations, for instance the unenforceability of the construction requirements. From a building official perspective, an R2 building is an R2 **building** – [the regulation] doesn't mention an R2 **apartment**, nor does it differentiate between condominiums, which are normally owned by the occupants, or apartments, which are normally rented by the occupants. Thus, it is difficult to determine at the time of plan review whether a proposed building is to be rented or owned.
    - Shahriar – You can enforce the temperature requirements at the time of construction and you can look at the design temperatures when [the system] is installed.
    - Florin – Once a Certificate of Occupancy (CO) is issued, the building could automatically be out of compliance with the VPMC.
      - (**Staff Note:** See slides 11 and 12 of the background PowerPoint)

- Shahriar – That should be brought up.
- **Energy Code Considerations:** Any temperature changes could affect building efficiency; must be considered. Staff noted that any changes made here could affect provisions in the Virginia Energy Conservation Code (VECC).
  - Gregg – How do the energy code requirements play-in?
    - Florin – There are a lot of related provisions. Any changes we make here could affect the VECC. If you increase the temperature from what it is now, the building may be less efficient.
- **Legislative Intent:** Recent legislation aimed at convening a stakeholder study group to review and assess regulations regarding the mandated dates for when heating or cooling must be supplied to a dwelling unit.
  - Gregg – This past legislative season, can you go over the concerns or what they were trying to accomplish
    - Florin – Jeff or Andrew may be able to provide more information. As far as I know, the intent was to convene a Stakeholder Group to review these issues, but there are no specifics on how this should be addressed. The Virginia Building and Code Officials Association (VBCOA) may have worked with legislators as part of the code development process and may have additional insight.
      - Andrew – To consider changing the dates [in the regulation].
- **Operational Challenges:** Two-pipe systems (common in older apartments) make it difficult to maintain required temperatures during seasonal transitions due to system limitations (e.g., draining boilers before switching to cooling).
  - Shahriar – We are receiving a lot of phone calls [about this issue]. The minimum should be rolling the end date back by two weeks. The temperature are based off the design temperature – trying to maintain 78 degrees (F) with a 95-degree (F) design temperature is difficult. The criteria appear to be outdated... Two pipe systems require draining the boiler before being able to turn on the chiller. There are millions of systems like this in older apartments.
  - Gregg - That’s our biggest issue.
  - Jeff – Those systems are the ones we hear most about.
  - Shahriar – You can’t have a common air system in a residential system, right? So, the two-pipe systems were very prevalent up to the mid 1990’s.

- Gregg – In addition, that’s the biggest issue we deal with. [I] have no problem issuing a modification, but the difficulty lies with the owners having to switch back and forth between heating and cooling due to temperature fluctuations.
- **Communication Issues:** Building management often misinforms renters about code requirements regarding cooling.
  - Shahriar – The management tells the renters that they aren’t allowed to turn on the cooling, which isn’t what the code says. The problem (with two-pipe systems) is that it can’t be efficiently switched back and forth.

### Key Issues Discussed:

- **Proposal Review:**

- The group reviewed a code change proposal (PM602.2-24) that would remove date restrictions and set temperature requirements. Concerns were raised about enforceability, regional climate differences, and practical challenges for building owners and tenants.
  - Jeff – Opened the floor for general discussion. Reminds group of correlation issues presented earlier. Bills weren’t addressing temperatures, just the dates. Provides overview of code change proposal PM602.2-24 in cdpVA.
    - Shahriar – Provides recommendation of having some dates modified. The 75-degrees threshold is problematic, particularly with larger buildings with multiple units. You have to define the summer temperature for cooling, right?
- **Specific Discussion Regarding PM602.2-24:**
  - Shahriar – The technical requirements are flawed because you have to establish temperature baselines for seasons. The winter design temp (Northern to Central VA) is about 20 degrees (F) and the summer is 95 degrees (F). Today has a heat index of over 100, so good luck meeting the 77 degrees (F) requirement.
  - Florin – Clarifies that the underline portion of the text referencing the IECC for the summer design temperature, is not new - nothing is changing compared to the current requirements. Referencing Appendix D in the [International Plumbing Code (IPC)] and the design

temperature in the IECC may create a problem based on how the design temperatures are determined. Most designs are based on the current ASHRAE, which don't jive with the temperatures in Appendix D of the IPC, which are based on the 1985 edition of ASHRAE Handbook, Fundamentals Volume.

- Shahriar – You could reference the current ASHRAE because clearly there is an environmental change, but the other thing to think about is putting an excerpt from ASHRAE in the code because no one is going to pay for the standard for one line out of the standard. You could pull the table for VA [from the ASHRAE standard] – but not every locality is accounted for.
- Steve – Why use Appendix D of the IPC for winter and the IECC for summer?
- Florin – Good question. The proposal itself carries forward the existing requirements...The IECC contains some design temperatures, but when it was first referenced in the code you would not be able to find the relevant information.
- Shahriar – Recommends referencing the ASHRAE fundamentals for both summer and design temps
- Florin – Most buildings are going to be designed under current ASHRAE criteria, but that is not the case for older existing buildings. Consideration should be given to this when drafting a proposal and perhaps use different criteria for existing and new buildings.
- Shahriar – This will be one of those oddball ones. If the building was built in 1990 it doesn't mean it was designed in accordance with the fundamentals. We should look back to what it was then (1990's) and what it is now to make a decision. Let's assume you leave the proposal alone.... Do you want to change the dates? Do we want to correlate between the codes?
- Jeff – If this doesn't work for the two-pipe systems then maybe an exception could be added for those systems due to the delay in switching between heat and cooling.

- **Local Flexibility:**

- There was broad agreement that a “one size fits all” approach does not work for Virginia's diverse climates. The group supported allowing local building

officials discretion and a defined transition window (e.g., a two-week period) to accommodate system changeovers.

- Gregg – What if it's 15 days or 16 days? I think it's the building official's discretion. What are we trying to solve here? It should be up to the locality.
- Jeff – That is one thing we could build in [to the proposal]. We'll make a list of things to go in the proposal.
- Earl – Are we rewriting this proposal? (Referencing PM602.2-24)
- Jeff – We are just discussing it. The group may end developing their own proposal based on what is discussed. We can reach out to the proponent to let him know what the group discusses and if the group develops an alternative proposal. So, he can decide if he wants to continue with his [proposal].
- Gregg – Commends proponent on thoroughness of the proposal.
- Florin – Shares code change proposal from the 2012 cycle that was considered on behalf of VBCOA administrative committee, which is where the 14-day leniency was considered. Temperatures across the state are not the same so the building official should have some time to make a determination based on local conditions.
- Shahriar – That's not being changed, right?
- Florin – I am just providing this information for context.
- Jeff – [This group] did talk about taking out the 14 days and saying something like, "Shared systems can be switched over before or after [the dates in the regulation]." Asks Shahriar to take the lead on developing proposal.
- Shahriar – Wants to submit several proposals to address correlation issues.
- Gregg – Any reason for leaving it in the construction code?
- Florin – Some localities don't enforce the property maintenance code. Maybe add something to the administrative section similar to the unsafe structures provisions of the maintenance code in Section 104.1.
- Florin – 104.1 of VCC provides the framework for giving the building official the authority to enforce those specific requirements.
- Jeff – One solution might be to update the property maintenance code to clarify that not providing cooling or heating is an unsafe/unfit condition. This would give the building official [under VCC Section 104.1] the authority to enforce [the VPMC heating and cooling

requirements] regardless of whether the locality has a maintenance official.

- Dennis – The VCC doesn't require cooling, the VMC doesn't require cooling, and the VPMC does? Is that the right way? [Cooling] should be added to the code.
- Florin – Great point. That's what was highlighted during the background discussion. You can get a [certificate of occupancy] and immediately get a violation for being out of compliance with the VPMC.
- Gregg – The building code doesn't require cooling?
- Florin– [The VCC and the VMC] do not [require cooling; they require heating and ventilation but not cooling].
- Gregg - What about [the] energy [code]?
- Dennis – Would order of precedence kick in and not require energy code compliance?
- Florin – For [the] residential [code] you have specific requirements for sizing the [cooling] unit based on standards. For [the VCC], the unit still has to be designed accordingly, but that's if you provide it. Nowhere does it say [it must be provided]. Heating, on the other hand, is required by the VCC and the VMC for all buildings, with some exceptions, unless they are rented, leased, or let, in which case there are additional requirements.

- **Best Practices & Research:**

- The need to review what other states do—especially those with similar climates and older building stock—was identified as a next step.
  - Gregg – Steve mentioned other states. Do we know what they do?
  - Jeff – Staff can do some research  
::later discussion::
  - Dennis – I'm still curious what other states are doing.
  - Jeff – Staff will follow up.
  - Steve – Especially ones in close proximity.
  - Shahriar – Home rule states shouldn't be considered.

- **Tenant & Owner Education:**

- Participants agreed that better communication and education around code requirements and transition periods would help reduce confusion and complaints.
  - Gregg – How many days to comply? 30?
  - Shahriar – [Arlington] puts them on an emergency notice and doesn't give 30 days to comply. [The landlord] gets it straight in 3-7 days. One thing we don't do very well is educating the people who are affected by this.
  - Gregg – [Alexandria] provides education and does so every year. Agrees that education is a big part.

- **Consensus Outcome:**

- There was general agreement to move the required cooling date earlier (to May 1st), retain a transition period, and allow flexibility for localities. The group also discussed possibly aligning code language more closely with national standards and ensuring all related codes are correlated.
  - Jeff – Consensus seems to be that moving dates back a couple of weeks will resolve most of the concerns that we have heard. If this solution is implemented and there are additional concerns, it can be revisited during the next code update.

**Next Steps:**

- Shahriar will draft a revised code change proposal reflecting the group's recommendations and circulate it to staff within two weeks
- Staff will research and report on how other states address similar issues.
- Staff will prepare and distribute a summary of the meeting to participants.
- Further meetings may not be necessary if consensus is reached electronically.

**Next Meeting:**

- Jeff – We may not need another meeting if we can handle all of this electronically.
- Adjourned 1:27pm

**Single Exit Stair Study Group**  
**First Meeting Summary**  
**Date: June 24, 2025**  
**Location: Virginia Housing Center**  
**Time: 10:00 AM – 2:12 PM**

**Attendees:**

**VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director, Division of Building and Fire Regulation
- **Florin Moldovan** – Code and Regulation Specialist, State Building Codes Office
- **Paul Messplay** – Code and Regulation Specialist, State Building Codes Office
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office
- **Andrew Malloy** – Policy Analyst

**Study Group Members:**

- **Joshua Davis** – Virginia Fire Services Board
- **Steven Sites** – Virginia Fire Prevention Association
- **Ron Clements** – Chesterfield County
- **Dan Willham, filling in for Kyle Kratzer** – Virginia Building and Code Officials Association
- **Rick Hinson** – American Council of Engineering Companies
- **Seva Rodnyansky** – PEW Charitable Trust
- **William Abrahamson** – American Institute of Architects, Virginia
- **Hampton Barclay** – Esplanade Consulting
- **Rory Stolzenberg** – Charlottesville Area Planner (Filling in for Lyle Solla-Yates)
- **Andrew Clark** – Home Builders Association of Virginia
- **Sarah Thomas** – Virginia Association of Commercial Real Estate

**Interested Parties:**

- **John Walser** – Fairfax County
- **Gregory Cavalli** – Virginia Department of Fire Programs
- **Andrew Milliken** – Stafford County, Fire Protection Engineer
- **Billy Hux** – State Fire Marshal's Office
- **Emmaline Herring** – Sen. Van Valkenburg Staff Liaison
- **Nicholas Bowles** – Nottoway County

**Purpose:**

This meeting brought together DHCD staff, fire marshals, code officials, architects, planners, and other stakeholders to discuss expanding the current allowance for single exit

stair buildings of Group R-2 occupancy to include buildings that are more than three stories in height. Emphasis was placed on reviewing and discussing the code change proposal B1006.3.4-24.

### **Background**

**Jeff** – Provided background on impetus for the study group’s formation, including a brief review of the 2021 Code Development Cycle proposal (B1006.3.4-21) along with conclusions from the National Fire Prevention Association (NFPA) symposium, “One Stair, Two Perspectives: Single Exit Stair Symposium” held on September 11<sup>th</sup> and 12<sup>th</sup>, 2024.

### **Key Discussion Points:**

- **Overview of B1006.3.4-24 (the proposal):**
  - B1006.3.4-24 (the proposal) seeks to permit single-exit, four-story multifamily buildings—especially on small urban lots—mirroring recent NFPA provisions but including additional safety features.
    - Rory – The goal isn’t just to remove a stairwell to save cost, but to build better buildings—ones with greater climate adaptability and more exterior wall space for bedrooms with windows. This approach unlocks 50- to 60-ft urban infill lots, allowing smaller buildings with a lower occupant load per stairwell. The proposal is identical to Jeff Shapiro’s approved 2027 submission and mirrors the NFPA language for four-story construction, while adding safety measures beyond NFPA requirements.
- **Design and Energy Implications:**
  - Participants discussed the potential benefits of increased windows and cross-ventilation for building energy performance, while recognizing the need for continued compliance with the energy code.
    - Steven Sites – [If we add more windows,] how does that affect energy-code compliance and cost?
    - Rory – I’ll defer to the architect.
    - William A – If you have a window-to-wall ratio that’s efficient and proportioned, cross ventilation is an added benefit.
    - Steve – There was also mention of rehab on small lots.
    - William A – Cross-ventilation is usually more energy-efficient; long, compartmentalized buildings have higher conditioning costs.

- Joshua D – How does this align with the IBC and NFPA?
  - Rory – A future proposal will address the IBC.
  - Joshua D – If it conflicts with the IBC, and since we’re not an NFPA state, can we allow this in Virginia? My concern is that it could create conflicts with current requirements and complicate enforcement. Cross-ventilation also raises design questions—e.g., windows facing each other can trigger exterior sprinklers and other fire-protection features. We need to understand what we add when we remove a stairwell and what benefits we gain.
  - Dan W – The IBC change is slated for the 2027 code, so it won’t be effective in 2024 and still isn’t final. Virginia could act now, even if it does not match the 2027 IBC, and reconcile the differences later. The current code already limits openings in exterior walls near property lines. Energy efficiency involves more than two-sided exposure; from a design standpoint, this option is far more flexible and avoids the use of bedroom corridors, creating more pleasant spaces.
  - Rick H – From an energy-code perspective, nothing changes; designers have new challenges.
  - William A – A collateral benefit: opening southwest windows nightly flushes a house. Current trends favor long, dark units with single exposure; fresh-air issues, long ducts, and higher energy costs follow.
- **Fire and Life Safety Concerns:**
    - Fire officials raised concerns about single-exit buildings, particularly regarding the lack of redundancy of exits, fire department response times in rural areas, and potential egress congestion during emergencies. Data from urban jurisdictions with single-stair buildings show low fatality rates; however, these areas typically have robust fire services.
      - Egress Congestion Discussions:
        - John W – Instead of having people and hoses stretched out throughout the building from the rig, everything is now concentrated in the stairwell. Concern for Fairfax is due to the presence of 10 people in a stairwell with a full hose bundle, which impacts the ability of people inside the building to evacuate. The two-exit equipped building has egress to one exit stairwell while the other is compromised. While everything brought up this morning about the benefits of these buildings is important, we need to consider how to make the risk level the same for residents. I believe there are good ways to do this, and that Jeff Shapiro’s proposal needs a bit more development.
    - Rural vs Urban Fire Department Response Discussion:

- Andrew Clark – (Asks for clarification on fire department response times in Virginia.)
- Joshua D – In some areas, the fire department has response times under four minutes, but in rural areas—especially in the southwest part of the state—travel times can be 15 to 20 minutes even in the best cases. In those situations, the fire department may not arrive in time to affect egress. The plan is for buildings to self-evacuate, allowing firefighters to focus on fighting the fire. There are both benefits and disadvantages to single-stairwell buildings. Fire service is especially vocal because these designs impact both operations and life safety.
- Andrew Clark – I would think Jeff Shapiro has already considered those factors, including longer response times, in his proposal at the national level.

::Separate Discussion::

- Joshua D – When you look at studies of buildings in New York and Seattle, those two cities have very robust fire departments. Fire service is concerned about people first and property second. What I didn't hear addressed is the damage done to buildings. In areas with longer response times, how will this building react in a scenario like that?
- Seva – None of these buildings above three stories exist in rural areas. I've looked at fire response rates—New York is very quick at 3.7 minutes. Seattle is 5.3 minutes, which is on par with the top 100 fire departments, including Richmond.
- Redundancy of Exits
  - Joshua D – Fire department response in Charlottesville is very fast, but in rural areas—where this proposal could also apply—larger counties without a robust fire department can have response times of 15-20 minutes. Having the correct number of stairways and redundancy is important to avoid a single point of failure. Single-stairwell buildings require considerations such as positive pressure ventilation to protect both exits and ingress. While quick response times in cities like Charlottesville are beneficial, many areas in Virginia lack this level of service. Therefore, these

buildings must be able to evacuate their occupants independently.

- Dan W – Without redundancy, there’s a higher likelihood of occupants being trapped. The longer it takes for the fire department to arrive, the worse the outcome will be.
- Rory – In most counties, there are zoning codes, and I imagine many would not allow these types of buildings.
- Dan W – Building codes and zoning codes operate independently.

::Separate discussion::

- Dan W – (Asks for clarification on whether the number of occupants in a stairwell matters.) The two-stairwell scenario doesn’t require occupants to egress through the same stairwell the fire department is trying to ingress. Redundancy is crucial when it comes to egress. I can’t overemphasize how important that is.
  - Rory – Good point. Up to 12 units evacuating isn’t many. By the time the fire department arrives, the units are usually already evacuated, especially with additional fire safety features. The code as written already allows for some reduction in redundancy.
  - Joshua D – The Fire department response in Charlottesville is very fast. But in rural areas, where this will also apply, larger counties without a response team as robust as Charlottesville’s could see response times of 15-20 minutes. Having the correct number of stairways, redundancy of stairwells, and avoiding a single point of failure is critical. A single stairwell requires considerations such as positive pressure ventilation to protect both exit and ingress. While Charlottesville’s quick response is commendable, many areas in Virginia lack such response times. So, we’re talking about a building that needs to evacuate itself.
  - Dan W – Without redundancy, the likelihood of occupants being trapped increases. The longer it takes the fire department to arrive, the worse their performance will be.
- Fatality Rate Data
    - Seva – Over 2023 and 2024, there were six deaths in multifamily structures in Virginia, all of which were built before 2000. To your

point, Joshua, there's a lot of older housing out there, and that will continue to be an issue regardless of what we do here. Newer buildings tend to hold up well. What we all care about is saving lives, housing people, and doing so safely. Any amount of modern multifamily housing, even under the current code, is much safer than a lot of the older stock. I wanted to put that out there for perspective. It's easy to go down the rabbit holes of response times and ladder trucks, but the current code is extremely safe. We're trying to figure out how to accommodate more multifamily development within it.

**Stairwell Type** (Interior vs. Exterior):

The group agreed to focus the proposal on interior stairwells for now, noting that exterior stairs present additional life safety challenges and may require separate treatment.

- Florin – Andrew, for the sake of discussion, could you highlight your concerns with exterior stairways versus interior stairways?
- Andrew M – If we had an exterior stair, it wouldn't provide the same protection for first responders and evacuees. I feel more comfortable with interior stairs because exterior stairs can be more easily compromised. You also lose the benefit of the early warning systems available in interior spaces. I believe there's an assumption that facilities always have interior exit stairways.
- Dan W – Now's the time to address that.
- Andrew M – I recommend referring to the charging statement for guidance on interior versus exterior exit stairways.

**Code Consistency and Technical Issues:**

There were in-depth discussions about ensuring consistency in code language, especially regarding occupancy limits, floor area calculations (net vs. gross), exit stairwell location options, references to standpipes, notification systems, doors opening into the path of travel of the exit stair, and emergency escape openings (EERO).

- Net Floor Area vs Gross Floor Area
  - Concerns were raised and discussed related to the use of the term “net” floor area, as it might conflict with the requirements for calculating the occupant load, which is based on “gross” floor area.
  - The proponent agreed to review further and amend the proposal to avoid potential conflicts.
- Exit Stairwell Location

- Steve – To help me understand the design, where would you put the stairwell?
- William A – The middle of the building is ideal, but pragmatically, it's probably more toward the front so it can be accessed quickly. In the proposal, it's an isolated, windowless, rated vertical shaft. Therefore, the stairwell will most likely be located in the middle or at the front of the building.
- Stairwell Access Doors Opening in Direction of Travel
  - Study group members suggested that the stairwell doors should be required to open in the direction of exit travel.
  - Requiring this might necessitate larger stairwells, which might reduce the available floor space for residential use and potentially increase cost indirectly.
- Addressing Standpipe Requirements
  - Joshua D – Assuming or hoping there's a standpipe in this system. Above the three stories, a standpipe is required, right?
  - Dan W – There's nothing in this proposal that addresses standpipes.
  - Jeff B – If it's required in the building code, it's required regardless of this proposal.
  - Ron C – (Provides the code section where standpipes are required.)
  - Jeff B – So these buildings would have a standpipe.
  - Andrew C – Friendly amendment to reference standpipes here?
  - Rory – We could add that in.
  - Dan W – We don't need it.
- Notification Systems
  - Steven Sites – The proposal mentions a manual fire alarm system. In that concept, are there notification devices in each unit? Where are they located?
  - Dan W – There's nothing in this proposal that would require anything beyond what is normally required. There's no enhanced notification.
  - Steven Sites – I'm just thinking about ways to ensure people are alerted to get into the stairwell. Can we require notification units in each apartment?
  - William A – Notification devices are already required through smoke detectors.
  - Steven Sites – Smoke detectors are one thing, but manual fire alarms are what I was referring to.
  - William A – Maybe it's an assumption, but why wouldn't they be connected already?
  - Steve Sites – They can be, but they don't have to be.

- Dan W – So, your concern is about the interconnectedness of manual fire alarms being activated before the sprinkler system?
- Steven Sites – Yes. Early notification.
- Hampton – How is this any different than if someone is in a 3-story building? All you’re doing is adding one floor, along with additional safety features.
- Steven Sites – If we’re going to put this in the Virginia code, I just want to make sure we discuss it. I want it on record that we talked about it.
- William A – Do we need something in the proposal to address manual fire alarms being tied into the notification system? Does that need to be clarified?
- Dan W – I’d be surprised if it’s not connected.
- Steven Sites – I want to make sure we don’t inadvertently remove something else from the code.
- William A – This is already approved for three stories. We’re simply adding more risers and longer corridors, and the proposal provides protections to account for this. Is there any dispute that these additional protections aren’t enough?
- Joshua D – Not necessarily. I want to make sure we’re all seeing this from the same perspective. Not all of these buildings will be constructed in localities with fire departments that have an ISO Class 1 rating.
- EERO
  - Andrew M – (Speaking on behalf of himself.) There are two things to consider or discuss regarding this specific proposal –
    1. There is a lack of requirement for an interior exit stair. Nothing in the proposal requires that the single exit stair be an interior exit stairway. If an exterior stair is used, many of the safety features required in the proposal wouldn’t apply.
    2. With regard to EERO, it’s important to coordinate this proposal with the one in Chapter 10 that addresses EEROs. Currently, EEROs are required in three-story buildings but not in four-story buildings. We need to make sure that change is made.

**Summary of Potential Amendments for Code Change Proposal B1006.3.4-24:**

Suggested amendments included:

- Dwelling unit doors shall not open directly into the exit stairway.
- Doors opening into the exit stairway must open in the direction of egress travel.

- Revise the scoping provisions so that the proposal only applies to interior exit stairways.
- Require compliance with the emergency escape and rescue openings provisions (which currently only apply to buildings three stories or less).
- Clarify the “net” vs. “gross” floor area allowance.

**Consensus and Next Steps:**

- The group reached a general consensus on moving forward with a revised proposal for interior exit stairways, incorporating the discussed safety features and code clarifications.
- Proponent of B1006.3.4-24 to collaborate offline with representatives from the fire services, HBAV, and other interested stakeholders to explore potential solutions for buildings with exterior exit stairways.
- Jeff and staff will assist the proponent with drafting a revised proposal and will circulate it with the group for review. Participants will confirm consensus via email, and if needed, a brief virtual follow-up meeting will be scheduled.

**Adjournment:**

The meeting concluded at 2:12 PM.



## **Expediting Permits and COs Study Group**

### **First Meeting Summary**

**Date: June 25, 2025**

**Location: Virginia Housing Center**

**Time: 10:02 AM – 1:24 PM**

#### **Attendees:**

##### **VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director, Division of Building and Fire Regulation
- **Florin Moldovan** – Code and Regulation Specialist, State Building Codes Office
- **Paul Messplay** – Code and Regulation Specialist, State Building Codes Office
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office
- **Chase Sawyer** – Policy and Legislative Services Manager

##### **Study Group Members:**

- **Cory Carney** – Independent Alliance of the Electrical Industry, VA Chapter
- **Chris Reynolds** – Atlantic Builders
- **Ron Clements** – Local Building Official
- **Michelle Gowdy** – Virginia Municipal League
- **Amanda Spittle** – Virginia Building and Code Officials Association
- **Andrew Clark** – Home Builders Association of Virginia

##### **Interested Parties**

- **Delegate Paul Milde** – Virginia House of Delegates 2025, 64<sup>th</sup> District
- **Nicholas Bowles** – Nottoway County, Building Official

#### **Purpose:**

The Expediting Permits and Certificates of Occupancy (CO) Study Group (the group) convened Virginia DHCD staff, code enforcement professionals, homebuilders, and local government stakeholders to discuss processes related to the issuance of building permits and COs with a focus on identifying opportunities for streamlining the review and issuance of such.

Key topics included current regulatory timelines, delays caused by staffing and procedural issues, and the feasibility of establishing clearer standards for review times and third-party involvement. The group explored options to streamline permit and CO issuance, reduce costs, and enhance coordination among agencies, with a focus on developing code change proposals to address delays and administrative bottlenecks.

## **Background:**

- Jeff – Provided background on the study group’s formation, including the legislation (HB 2682) that preempted the group’s formation.
- Del. Milde – Acknowledged that he is unsure if this study group is the appropriate vehicle to handle the issue of expediting permits and COs. Delegate Milde also expressed familiarity with Stafford County, a rapidly growing top-ten county with significant commercial development. He noted that both commercial and residential builders are experiencing increasing delays, which lead to higher costs for applicants. Many small, mom-and-pop builders struggle to understand the complex code, further prolonging the process. Milde questioned whether current timelines are mandated by county or state law, and if the building code can specify such timelines, highlighting that life safety is the primary goal. He asked if this is the appropriate place to incorporate timelines.
- Jeff clarified that the regulations do include some timing provisions. For example, there are timeline limitations on issuing Certificates of Occupancy (CO) and response times for inspections. Specifically, suppose the building official is unable to perform an inspection within two working days. In that case, the permit holder can hire a third-party inspector and submit that report for review and approval by the building official. Delegate Milde confirmed Jeff was referring to the Virginia Uniform Statewide Building Code, which Jeff affirmed.
- Discussion about whether current timelines are mandated by law or policy, and how local staffing issues influence permit issuance times.

## **Key Discussion Points:**

### **Permit Timelines and Administrative Processes**

The group discussed existing regulatory timelines, such as the 5-day timeframe for issuing COs, and the challenges associated with actual review and inspection durations.

#### **Five-Day Timeline Discussion:**

- Jeff - Brings attention to Section 116.1 of the USBC, which requires the issuance of COs within five working days.
- Chris R – In the past, he has been able to get COs in 1 day. The reality is that five working days, starting on a Friday afternoon, mean the clock begins Monday morning. So, three days have already passed. Then we go through five working

days and get the CO on Friday, which means we can't close until Monday. The carrying costs are \$1,500-\$2,000 over that timeline.

Plan Review Duration Discussion:

- Chris R – Trying to establish a precise timeline for issuing permits isn't reasonable. Instead, he suggested focusing on defining what constitutes a reasonable time for at least an initial review, given the significant evolution of the permitting process, from generic house plans covering various elevations to highly specific, engineered designs. He pointed out that most work is now done by engineers, making it unfair to set a fixed timeline for permit issuance. Additionally, some municipalities will not start the review until they receive the health permit, which can cause a month-long delay between localities. In practice, the permit isn't issued until the health permit is obtained, and he questioned why concurrent reviews can't be performed to speed up the process.
- ::Short break until 11:17::
- Jeff – (Reopened the discussion.)
- Del. Milde – If the group is interested in defining a reasonable timeline or working within the framework of Section 109.4 to add some boundaries, that might not be the purpose of this group. (He suggested that it could be simplified by establishing timelines for localities with a population size above a certain threshold.)
- Andrew – (Has some hesitation about setting size limits, noting that doing so could lead to frequent code change proposals every cycle. He agreed there is value in considering a "reasonable time," but the second sentence of the section might allow for some flexibility with re-reviews. He suggests that the locality should be required to notify the applicant within a certain number of days. Asks Ron how often people resubmit plans.)
- Ron – It's common for builders to have six or seven inspections, and that multiple re-reviews happen on plan review as well. The main challenge is defining what constitutes a "reasonable" review time.
- Andrew – (Clarified he was referring to the provision after that, regarding notification of plan deficiencies.)
- Chris R – What we're seeing is that we have to proactively seek and find that information instead of it being shared with us – we have staff who monitor it daily.
- Andrew – Just throwing out ideas. The applicant knows that within a certain number of days, they will be informed if the response is not sufficient.

- Ron – For (Chesterfield) we used to have a gatekeeping process for commercial permits. Applicants would go to the office, and a plan reviewer would look at the plans to ensure all necessary information was included before we accepted them. We moved away from doing a preliminary review because it didn't provide a good return on investment of time.
  - i. Ron – Andrew, you want to set a timeframe for the initial review, but not for subsequent reviews, correct?
  - ii. Andrew – Yes. It seems to provide some benefit for both the locality and the applicant.
  - iii. Del. Milde – And your idea of how quickly you'd be notified of deficiencies?
  - iv. Andrew – Yes, the second sentence—effectively. We should work on this offline.
  - v. Chris R – Review processes mainly depend on the system used by each county. Some localities provide formal notifications; others we don't receive any notifications at all.
  - vi. Del. Milde – Delays often start after the quality control (QC) process. The challenge is that we don't always know where reviewers are, and different departments are trying to work on it. The technical review is particularly hard to pin down.
  - vii. Jeff – From my experience as a plan reviewer and building official, the type of drawing and the type of house significantly affects the review time.

### **Staffing, Resources, and Best Practices**

Staffing shortages, high turnover, and resource limitations are major factors affecting review times.

- Amanda – Staffing has been an issue, but not in Prince William, where we have project management and proactive project oversight. I think smaller localities may be struggling more, especially when they're experiencing rapid growth.
- Del. Milde – Labor shortages and high turnover are definitely challenges. It's also about how they prioritize their customers. One idea I have is to develop a tailored list specific to each project. I've seen code that suggests this should be done, but it has never been mandated. I really like that idea.

Some localities implement proactive project management and tailored checklists to expedite reviews, especially for large commercial projects.

- Ron – Typically, about a month out from the end of a commercial project, our commercial inspector reaches out to the contractor to update them on what’s outstanding. This includes planning and zoning, environmental engineering, utilities, and coordinating all relevant parties. However, I don’t understand why it takes five days to issue the CO after all of that is completed.

::Separate Discussion::

- Ron – What I was referencing was larger commercial projects, full buildings. Our commercial inspection chief keeps an eye on those jobs, and once they’re close to Certificate of Occupancy (CO), he pulls together all outstanding issues.
- Del. Milde – What’s the criteria?
- Ron – That would be difficult; it involves a lot of judgment calls. Take the “two-day” concept and apply it to plan review—start with that as a trial balloon. The challenge is, what do you replace the two days with? Thirty days?
- Ron – For some localities, it won’t be an issue. I recommend identifying those where it might be problematic.

### **Third-Party Plan Review and Inspection**

The group examined the possibility of formalizing third-party review processes, with considerations around vetting, approval, and how to ensure quality control.

- Del. Milde – Has anyone ever considered using a third-party review?
- Cory – Refer to 109.4.1.
- Del. Milde – It says “may.” I guess that’s the keyword.
- Cory – We still have to conduct a review.
- Del. Milde – Do you still need to review a third-party submission even if it’s “approved”?
- Ron – We can accept third-party reviews. It’s really up to the building official’s authority to set parameters and decide what aspects they want to QC.
- Andrew – Is there interest in requiring at least a baseline standard of third-party review in localities?
- Del. Milde – A pre-approved list of engineers?
- Chris R – (Shares his experience with the third-party plan review policy in Spotsylvania.)

- Amanda – That can cut review time in half because the engineer takes responsibility.
- Florin – Spotsylvania had a program specifically for expediting review that required sealing by an RDP. It was intended to be a quick review of the site-specific documents only, such as soil compaction reports and HVAC design worksheets. They also had a master file program where the contractor submitted a file with all the different designs and options for a specific house. Once the plan review was completed on that, any subsequent permits for that house would only require site-specific review. Section 109.4.1 is used by localities and facilitates some of that process.
- Cory – Implementing processes like that across the board would be mutually beneficial.

There was debate about whether to change “may” to “shall” in code language to mandate third-party reviews, and how to implement qualified lists of engineers or reviewers.

- Del. Milde – So, just change “may” to “shall,” and we’re good.
- Ron – In Chesterfield, that would be problematic.
- Florin – (Shares Section 113.7 on the screen, for context.)
- Jeff – Clarified that “accept” in Section 113.7 does not mean the building department must “approve” an inspection report submitted by a third-party, and added that some local building department third-party policies include a list of approved third-party agencies, ensuring the reports they are accepting are from third-parties they have vetted.
- Del. Milde – If it’s an approved engineer, you still have to review what they’re doing. You can’t just blindly accept their work.
- Jeff – If there’s no vetting process in place—for example, with plan review—more items might be missed during plan review and if issues are identified during inspections, corrections may be more costly and cause increased delays.
- Del. Milde – The only way that approach would meet our goal is if, along with that, there’s a prescriptive, shortened timeline. If you’re using an approved third-party review, then you only have a certain number of days to approve that third-party’s technical review.

### **Defining “Reasonable Time” & Timeline Standards**

A key challenge is establishing what constitutes a “reasonable” review and approval timeline, given the diversity of localities and project types.

- Florin – (Shares Section 109.4 on the screen, for context, which states “within a reasonable time.”)

- Chris R – That is a very grey area. We build a lot of well and septic homes, and their process is different. Everything is engineered and done by onsite soil engineers, who have a very defined timeline—21 days. If they can't complete their review within that period, it's deemed approved. It would be helpful to have some focus on this—I'm not suggesting we replicate the health department, but something more clearly defined. The process varies so widely and has become so unpredictable that the most predictable part is actually building the home and structure.
- Andrew – Is there some sort of reasonable timeline for the building official?
- Cory – Mandating a statewide timeline is incredibly unwise. I suggest each locality develop its own timelines to guarantee it returns plans within a certain number of working days.
- Andrew – There has to be some timeline.
- Michelle – Any specific timeline will be discussed later.
- Chris R – Trying to set a strict timeline for permit issuance isn't reasonable. It makes more sense to define what constitutes a reasonable time for at least an initial review because the permitting process has evolved significantly. It used to be a generic house plan that covered all elevations, but now everything is highly specific and engineered. All work is done by engineers. It's not fair to set a fixed timeline for permit issuance. Some municipalities won't even start reviewing until they receive the health permit, which can be a month apart between localities. In reality, it doesn't matter because the permit isn't issued until the health permit is obtained. I don't understand why concurrent reviews can't be done.
- [Short break]
- Jeff – (Opens the discussion back up.)
- Del. Milde – If this group is interested in how to define a reasonable time, or in working with the language in Section 109.4 to add some boundaries, then that's not the purpose of this group. It would be helpful to add specific timelines for localities of a certain population size or greater to simplify the process.
- Andrew – (Has some hesitation about setting a size limit.) Every code cycle, we'll likely get proposals like this. There's value in considering a "reasonable time," but the second sentence of Section 109.4 might allow for re-reviews.

### **Pertinent Laws and Ordinances & Certificate of Occupancy (CO) Delays**

Discussions focused on how other laws (zoning, landscaping, etc.) can delay CO issuance beyond the building code requirements.

Potential revisions to code language (e.g., removing "all pertinent laws and ordinances" or clarifying language) were considered to reduce unnecessary delays.

- Ron – What this is telling us—Section 116.1—is that the building official, beyond verifying compliance with the building code, must also ensure compliance with other laws and ordinances. The term “pertinent” was included for a reason. Planning departments might consider landscaping plans pertinent. In this context, is “pertinent” appropriate? It could include everything from screening dumpsters, striping parking lots, to paving versus gravel. Most planning and zoning departments will consider anything on the site plan as “pertinent,” and that could be grounds to hold up the CO.
- Michelle – How do they enforce landscaping if it’s not part of the building permit?
- Amanda – They hold up escrow.
- Ron – Since it’s an ordinance, if the owner doesn’t comply, I’m not in compliance with those ordinances. Occasionally, localities will issue a temporary CO.
- Jeff – I am aware of many instances where the reason for not issuing a CO is related to landscaping and other items that are not related to being able to safely use the building. I am not sure that is the intent of the code
- Jeff – If the USBC were updated to remove the building official from being the gatekeeper and the building official were no longer required to deny issuance of a CO on behalf of other departments and agencies, it would not prevent those other departments from enforcing their requirements. It would also not impact existing state laws, like those regarding health department approvals, that specifically address when a building official may or may not issue a CO.
- Florin – If you add a period after “code” in Section 116.1 and strike everything afterward, that addresses the issue.
- Cory – You can change the language, but the ordinance issues still prohibit issuance of the CO. Stopping right after “code” makes it clear.
- Florin – The way it’s written, an argument could be made that the building code is used as an enforcement mechanism for laws or ordinances outside the scope of the building code.
- Ron – (Agrees. He thinks that for zoning and land use, “pertinent” is quite broad, similar to “reasonable.”) When should we hold up the issuance of a CO beyond the building code? (He doesn’t have a specific answer, but zoning is a clear example.)
- Jeff – If the words “all pertinent laws and ordinances,” were removed, would the building official still have some discretion in issuing a CO if, for example, the final inspection passed, but an approved plat was not in place?
- Ron – If you remove it, all you’re left with is the building code, and that would give the permit-issuing authority the ability to issue a permit without regard to zoning or other laws.

### **Proposal Development**

The group discussed developing proposals for clearer timelines, third-party review standards, and administrative procedures.

Future actions include drafting code change proposals, circulating proposals for feedback, and possibly convening additional meetings or working via email.

### **Conclusion & Next Steps**

The group agreed to take the lead on developing specific language and proposals related to timelines, third-party reviews, and administrative procedures.

They emphasized flexibility in approach, with opportunities for further discussion and refinement before formal adoption or legislative change.

Adjourned: 1:24pm



**Unsafe Structures Study Group  
First Meeting Summary  
Date: August 27, 2025  
Location: Virginia Housing Center  
Time: 10:00 AM – 1:00 PM**

**Attendees:**

**VA Department of Housing and Community Development (DHCD) Staff:**

- **Jeff Brown** – Deputy Director, Division of Building and Fire Regulation
- **Florin Moldovan** – Director, State Building Codes Office
- **Paul Messplay** – Code and Regulation Specialist, State Building Codes Office
- **Travis Luter** – Code and Regulation Specialist, State Building Codes Office
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office

**Study Group Members:**

- **Ron Clements** – Chesterfield County
- **Michelle Gowdy** – Virginia Municipal League (VML)
- **Richard Gordon** - Hanover County
- **Steve Shapiro** – Virginia Apartment and Management Association (VAMA),  
Apartment & Office Building Association of Metropolitan Washington (AOBA)
- **Sandra Escorcia** – City of Richmond

**Interested Parties**

- **Nicholas Bowles** – Nottoway County
- **Michelle Throckmorton** - City of Chesapeake
- **Joshua Davis** – Virginia Department of Fire Programs
- **Anne Ligon** – City of Hampton
- **Jessica Turner** – City of Chesapeake
- **Jerri Wilson** – City of Newport News

## **Purpose**

DHCD received a request from Delegate Leftwich asking DHCD to review, during the 204 Code Development Cycle, procedures followed by local governments to demolish an unsafe structure.

The Unsafe Structures Study Group convened to review and discuss issues related to the Virginia Property Maintenance Code, specifically focusing on the authority and process for demolishing unsafe structures, notice provisions, appeal timelines, and the clarity of emergency repair and demolition authority. The group examined recent and proposed changes to the code, discussed the need for additional specificity around timelines and procedures, and considered whether further code amendments were necessary to address local interpretations and concerns. While consensus was not reached on all issues, there was broad agreement that clarifying the code's language regarding emergency demolition could be valuable. The group decided to draft potential language changes for further review and encouraged ongoing collaboration ahead of the October 10th proposal deadline.

## **Background**

**Jeff B** provided an overview of Virginia's Code Development Process and the context for the group's formation.

**Ron C** summarized relevant code change proposals adopted in the 2021 Virginia Property Maintenance Code (VPMC).

**Steve S** inquired about the group's objectives.

**Jeff B** clarified that the group was formed in response to the letter that was received, and no additional guidance was provided. The group's task is to review the issue as it relates to the building code and determine if any changes are needed. At the end of the process an update will be provided to the delegate.

## **Review of Code Provisions and Issues Raised**

**Jessica T** explained that her office wanted something in the code that nothing prevents a locality from demolishing an unsafe structure once all requirements are met, particularly to address concerns about appeals and notices. She reiterated that the intent was to clarify local authority, especially in cases where structures are boarded up but remain unsafe.

**Michelle T** described local concerns by some who interpret the current code as preventing demolition if a structure is boarded up.

**Ron C** and others noted that most localities do not share this interpretation and regularly proceed with demolition even if structures are boarded up, provided other requirements are met.

**DHCD Staff** displayed VPMC Section 106.7 and VPMC Section 106.1 on the screen for the group to review and discuss to identify the specific code provisions in question. There was discussion and general agreement that while the second sentence of Section 106.1 allows the code official to use some discretion in allowing a building to be vacated and secured to address certain unsafe conditions as applicable, the last sentence of Section 106.1 begins with “Notwithstanding the above..”, making it clear that, regardless of the provisions in the second sentence, the code official has the authority to order demolition of a hazardous structure (in accordance with the VPMC)

**Michelle T** clarified that she believes Section 106.1 is the section that raised the initial concerns.

**Richard G** added that localities benefit from flexibility in determining-"unsafe," depending on urban or rural contexts, and that the code intentionally allows for this. In his locality he has some areas that are urban/suburban and some areas that are extremely rural, so his criteria for those two portions of the locality are different. He gave an example of a farmhouse located 500 feet off a roadway in a rural area. If it is vacant and secure that is a different situation even if it is in danger of collapse because it is not a hazard to anybody. It is important to allow localities to make that determination.

**Jessica T** noted concerns with due process related to boarding up, particularly the lack of explicit timelines for notices or appeals, which could lead to ambiguity and potential legal challenges. For due process, an individual needs proper notice and an opportunity to be heard and time to appeal a decision. If the code official determines that the unsafe structure is a hazard and orders its demolition the code is not very clear on how long that process could take.

**DHCD Staff** pointed out that Section 107 of the VPMC already includes some timeliness requirements, such as a 14-day window for appeals. The group debated whether this is sufficient or whether further clarity should be legislated.

**Ron C** added that under the notice of what’s unsafe Section 106.3, it says that the notice shall indicate the right of appeal by referencing the appeals section of this code.

**Jeff B** for clarification, asked if one of the concerns is that a code official could demolish a structure before an appeal is heard.

**Jessica T** said she understood that the intent of the legislation was to clarify how long it would take to get through the process to give property owners time to comply.

**Ron C** asked why the city decided to go the legislative route when none of this is statutory.

**Jessica T** stated, "Probably to formalize it and strengthen the locality's arguments."

**Jeff B** reminded the group that the direction was to get together and look at the issue. If the group identifies something that everyone agrees is a good idea to change, a proposal could be developed by the group. If this group decides not to move forward with a proposal, that will not prevent anyone from submitting a code change proposal on their own.

**Jeff B** asked if the group and specifically Chesapeake had further discussion regarding Section 106.1.

**Jessica T** stated that the City's position, as she understood it, was that the code could be made stronger by having a timeline added to it. Particularly as it relates to when somebody secures a vacant structure.

**Jeff B** asked if she had any specific changes.

**Jessica T** stated, "Just in general."

**Jeff B** opened it up to the Study Group for further comments and discussion, but the consensus among the Study Group was that the current code language works as it is currently written. It was reiterated that if the City of Chesapeake wants to continue to pursue this that there would be other people willing to continue the conversation outside of this meeting and help guide them in putting together a proposal.

### **Discussion on Emergency Repairs and Demolition**

**Michelle T** raised another issue regarding Section 106.8 of the VPMC, questioning whether the current code clearly distinguishes between emergency repairs and emergency demolition. She highlighted that some interpret the section as authorizing emergency demolition, while others do not.

**Michelle T** stated that Section 106.8 mainly pertains to emergency repairs and not emergency demolition, despite being grouped together. Michelle noted the ongoing debate about its interpretation and suggested that the section should be clarified to distinctly separate the two actions and specify the authority for each.

**Steve S** and others recounted instances where emergency demolition was necessary for public safety, noting that in practice, such actions have occurred even if the code isn't explicit.

**Steve S** – What section do you use when a storm comes through and the building is leaning halfway over. It has to come down because it's an imminent danger. So, I believe Chesapeake raises a valid point. In my reading of the section, I don't see language that explicitly states you can proceed with demolition without following the Notification processes unless you interpret the action as a repair.

**Steve S** - There are situations where you simply don't have time to send a notice, and you might not be able to identify the full process in advance. In such cases, immediate demolition may be necessary to address imminent danger and prevent harm.

**Jessica T** suggested that the section could be clarified, either by re-wording or separating emergency repairs from demolition, to avoid differing interpretations.

**Florin M** stated that it appears that the consensus is that, as currently written, this section is not intended to apply solely to emergencies. If an emergency occurs, the section as drafted is not meant to be used on its own to cite a violation and demolish a building. Therefore, some clarification or work may be needed to ensure that emergency demolitions are permitted when appropriate, especially since no other sections in Chapter 1 explicitly cover that scenario. Is that the understanding?

***Let the record reflect that everyone is nodding in agreement. Thank you.***

### **Action Items and Consensus**

The group generally agreed that further clarification of the emergency repair and demolition section would be helpful.

**Jessica T** volunteered to draft proposed language to clarify this section, with input and review from the group.

**Jeff B** reminded the group of the October 10th deadline for code change proposals and encouraged anyone interested to participate in refining and submitting the draft.

The group discussed the process for submitting code changes.

## **Next Steps**

**Drafting Code Amendment:** Jessica T will draft proposed language to clarify the code's provisions regarding emergency repairs and emergency demolition, ensuring it addresses the consensus concerns raised.

**Group Review:** Once drafted, the proposal will be circulated among group members for feedback and refinement. Group members are encouraged to provide comments and suggest improvements.

**Submission Preparation:** DHCD staff will assist in ensuring the proposal is technically correct and ready for submission. Group members interested in co-sponsoring the proposal should express their interest.

**Proposal Submission:** A finalized proposal should be submitted ahead of the October 10th deadline for consideration in the General Stakeholder Workgroup Meeting.

**Continued Collaboration:** The group is encouraged to continue discussions, especially if additional issues arise or if the City of Chesapeake or other members wish to pursue further code changes.

**Reporting Back:** DHCD staff will prepare and distribute a meeting summary and ensure the delegate is updated on the group's work, discussions, and any outcomes.

## Tab 11

### USBC Emergency Regulation – NFPA 13R Sprinkler Systems

Description	Page Number
This proposed change is intended to incorporate the emergency amendments, which became effective on 5/29/2025 and are set to expire on 11/28/2026, into the 2024 USBC.	Tab 11 – Page 1



# Emergency Regulations 13VAC5-63-240 (1556)

IBC: [F] 903.3.1.2

Proponents:

## 2024 International Building Code

Revise as follows:

**[F] 903.3.1.2 NFPA 13R sprinkler systems.** *Automatic sprinkler systems* in Group R occupancies shall be permitted to be installed throughout in accordance with NFPA 13R where the Group R occupancy meets all of the following conditions:

1. Four *stories* or fewer above *grade plane*.
2. For other than Group ~~Groups~~ R-2 and R-3 occupancies, the floor level of the highest *story* is 30 feet (9144 mm) or less above the lowest level of fire department vehicle access.
3. For Group R-2 occupancies, the roof assembly is less than 45 feet (13 716 mm) above the lowest level of fire department vehicle access. The height of the roof assembly shall be determined by measuring the distance from the lowest required fire vehicle access road surface adjacent to the *building* to the eave of the highest pitched roof, the intersection of the highest roof to the *exterior wall*, or the top of the highest parapet, whichever yields the greatest distance.
- ~~3.~~ 4. The floor level of the lowest *story* is 30 feet (9144 mm) or less below the lowest level of fire department vehicle access.

The number of *stories* of Group R occupancies constructed in accordance with Sections 510.2 and 510.4 shall be measured from grade plane.

**Reason Statement:** The proposed change is intended to maintain the emergency amendments, which became effective on 5/29/2025 and are set to expire on 11/28/2026. See Virginia Register of Regulations VOL. 41 ISS. 22 - June 16, 2025, available here: <https://register.dls.virginia.gov/details.aspx?id=11680>

**Cost Impact:** The code change proposal will decrease the cost

The 2021 edition of the Virginia Construction Code (VCC) included changes regarding when a National Fire Protection Association (NFPA) 13R sprinkler system is permitted to be installed in a Group R occupancy building. The changes were intended to address podium buildings, but also had significant impacts on other Groups R-2 and R-3 occupancy buildings by greatly reducing the allowed building height, which in certain cases may limit construction to three stories. If unresolved, this issue would negatively impact residential construction by increasing costs and creating unnecessary delays to and increasing the price of housing production in the Commonwealth. These production delays and cost increases are then passed on to consumers. Virginia is already facing a housing shortfall and rising housing costs, so action must be taken to avoid further exacerbating the situation.



## Tab 12

### Public Comments

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NOIRA – USBC Town Hall Comments	Tab 12 – Page 37
NOIRA – IBSR Town Hall Comment	Tab 12 – Page 39
NOIRA Comments - Sierra Club et al	Tab 12 – Page 41
RECA Letter	Tab 12 – Page 45
VBCOA Letter	Tab 12 – Page 51
Chris Sampl - January 5, 2026, GSW Meeting Summary	Tab 12 – Page 53
ASCE 7-28 Adoption	Tab 12 – Page 55
Residential Building Codes	Tab 12 – Page 57
Sustainable Living Site Revisions	Tab 12 – Page 59
Virginia Codes Copyrights	Tab 12 – Page 71
ABC-VA Letter of Support Regarding Changes to VCC Section 918	Tab 12 – Page 73



**In The Matter Of:**  
*BOARD OF HOUSING AND COMMUNITY DEVELOPMENT*  
*PUBLIC HEARING*

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*Transcript of Proceedings*  
*July 14, 2025*

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*ORTEGA INTERNATIONAL REPORTING*  
*6933 Commons Plaza, Suite 119*  
*Chesterfield, VA 23832*  
*(202) 681-5140*



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1 VIRGINIA:

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4 BOARD OF HOUSING AND COMMUNITY DEVELOPMENT

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PUBLIC HEARING

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Monday, July 14, 2025

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10:00 a.m.

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When heard at:

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Virginia Housing Center

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4224 Cox Road

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Glen Allen, Virginia

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Reported by:

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JUAN ORTEGA, CCR

1 A P P E A R A N C E S :

2

3 MEMBERS PRESENT:

4 Louie Berbert, Chair

5 Sylvia Bryant

6 Cindy Davis (Remote)

7 Bill Garrett

8 Roger Jones

9 Mark Trostle (Remote)

10 Keith Johnson

11 Maggie Beale

12 Lynne Goldberg (Remote)

13 Jenna Goodman

14 Tammy Neale

15 Hank Osleger

16 J.M. Snell

17 Scott Stosser (Remote)

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1 A P P E A R A N C E S: (Cont'd)

2

3 DEPARTMENT OF HOUSING AND COMMUNITY  
4 DEVELOPMENT (DHCD) STAFF:

4

Lyndsi Austin, Associate Director

5

Justin Bell, Attorney General

6

Trisha Lindsey, Policy and Legislative  
7 Services Director

7

8 Andrew Malloy, Sr. Policy Analyst

8

Florin Moldovan, Code and Regulation  
9 Specialist

9

Sandra Powell, Senior Deputy of Community  
10 Development and Housing

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Sulaiman Safi, Board Coordinator

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1                   P R O C E E D I N G S

2       July 14, 2025

3

4                   CHAIR BERBERT: All right. Good  
5 morning, everybody. I'm going to call  
6 the public hearing to order.

7                   My name is Louie Berbert, and I  
8 currently serve as the chair of the  
9 Board of Housing and Community  
10 Development.

11                   Today, the Board is going to hold  
12 a public hearing to receive comments  
13 prior to the proposed regulations.  
14 I'd like to welcome all the board  
15 members of the Housing Community and  
16 Development as well as the Virginia  
17 Fire Services Board that are here  
18 today.

19                   Thank you for attending.

20                   Before we get started, I'd like  
21 to take a moment to let the board  
22 members introduce themselves. So  
23 we'll just go around and I will start  
24 with Mr. Snell.

25                   MR. SNELL: I'm J.M. Snell.

1 P R O C E E D I N G S

2 I'm from Harrisonburg, Virginia,  
3 and I serve in two capacities, the  
4 Board of Housing and the Board of  
5 Housing representative on the Fire  
6 Services Board.

7 MS. NEALE: Good morning.

8 My name is Tammy Neale and I'm  
9 the CEO of Virginia Housing, and  
10 welcome to our facility today.

11 MR. GARRETT: My name is  
12 Bill Garrett. I'm here in Richmond  
13 and I'm a homebuilder by trade and  
14 still fairly new to the board.

15 MS. BEAL: I'm Maggie Beal.

16 I'm interim director for  
17 Department of Housing and Community  
18 Development.

19 CHAIR BERBERT: Louie Berbert  
20 again, and I'm from Virginia Beach.

21 And thank you guys for being  
22 here.

23 MR. JONES: I'm Roger Jones.

24 I'm from Manassas, Virginia. And  
25 happy to be here. Thanks.

1 P R O C E E D I N G S

2 MR. HUX: Good morning. Billy  
3 Hux, State Fire Marshal.

4 MR. SYKES: Good morning.

5 Steven Sykes. I work for the  
6 Virginia Fire Services Board. Served  
7 in the City of Fairfax as the building  
8 official and fire marshal.

9 MR. JOHNSON: Keith Johnson here  
10 representing the Virginia Fire  
11 Service.

12 MR. OSLEGER: Hank Osleger, I'm  
13 from Fredericksburg, Virginia, where  
14 I'm a custom homebuilder.

15 MS. BRYANT: Sylvia Bryant, and  
16 I'm from Norfolk and I represent  
17 several contractors.

18 MR. DAVIS: Joshua Davis with the  
19 State Fire Marshal's Office.

20 MS. GOODMAN: Jenna Goodman with  
21 Virginia Building Code Revisions.

22 MR. MILLER: John Miller, I'm  
23 chief of fire emergency responses with  
24 the Department of Forestry and a  
25 member of the fire service.

1 P R O C E E D I N G S

2 MR. MAIATICO: Gerry Maiatico, I  
3 serve as an assistant chief and fire  
4 code official for Warren County,  
5 Virginia. And I'm on the Fire  
6 Services Board.

7 CHAIR BERBERT: I think we have a  
8 couple of folks online as well if you  
9 can introduce yourselves.

10 MR. TROSTLE: Mark Trostle here  
11 from Northern Virginia.  
12 Unfortunately, I'm traveling today  
13 across the Delmarva Peninsula.

14 MS. DAVIS: Good morning. I'm  
15 Cindy Davis from Henrico County.  
16 Retired.

17 MR. STOSSER: I'll go next.  
18 Scott Stosser from Blacksburg,  
19 Virginia. I'm a local builder there,  
20 and developer. I'm in Florida today.

21 MS. GOLDBERG: Lynne Goldberg,  
22 I'm in Alexandria, Virginia. And I  
23 work for a concession company on the  
24 board.

25 MR. BURKE: Don Burke, Northern

## 1 P R O C E E D I N G S

2 Virginia, Alexandria. Longtime  
3 resident of the state.

4 CHAIR BERBERT: All right. Thank  
5 you. I think that's all of our board  
6 members today.

7 Before we get started, I'd like  
8 to explain how the hearing will be  
9 conducted. Anyone wishing to speak  
10 should sign up in the registration  
11 table near the door or enter their  
12 name on the chat online.

13 Comments offered by previous  
14 speakers need not be repeated. A  
15 speaker may establish a point simply  
16 by referring to the earlier statement  
17 that expresses their position. We do  
18 have a time limit of two minutes, so  
19 please be respectful of that.

20 If you hear a chime go off, your  
21 time has expired and I will remind you  
22 if I need to. We welcome the  
23 submission of written statements as  
24 well. The board will review all  
25 written materials that are submitted.

## 1 P R O C E E D I N G S

2 If you have written statements today,  
3 please submit them to staff.

4 We will receive public comment in  
5 this order. First, we're going to go  
6 through the Virginia Statewide Fire  
7 Prevention Code. Then we'll move on  
8 to the Uniform Statewide Building  
9 Code. Third, the Virginia Amusement  
10 Device Regulations. Fourth, the  
11 Virginia Industrialized Building and  
12 Safety Regulations. And we'll  
13 conclude with the Virginia  
14 Certification Standards and the  
15 Virginia Manufactured Home Safety  
16 Regulations.

17 For each regulation, we're going  
18 to start with those who are  
19 participating in the room, and I will  
20 now open the public hearing and ask  
21 Mr. Sawyer to call the first speaker.

22 MR. SAWYER: Yes, sir, Mr. Chair.

23 Anybody in the room wish to speak  
24 on the Statewide Fire Prevention Code?

25 All right, Mr. Chair. Nobody in

## 1 P R O C E E D I N G S

2 the room, so we'll turn to online. So  
3 I believe -- so speaking on the  
4 Statewide Fire Prevention Code first.  
5 I see Mr. Ross Shearer.

6 Mr. Shearer, if you'd like to  
7 speak -- provide comment.

8 MR. SHEARER: Oh, I didn't think  
9 I'd be starting off. But here it  
10 goes.

11 I'm Ross Shearer. I live in  
12 Vienna where I've been for 40 years.  
13 The board is charged with serving the  
14 public through a broad range of  
15 instruments that include the  
16 construction standards of the Uniform  
17 Statewide Building Code. The code's  
18 existence signifies that Virginia --  
19 Virginians recognize that the concept  
20 of a free market to deliver suitable  
21 housing for Virginians cannot be  
22 relied on.

23 To restrain the inevitable drift  
24 from quality construction, a  
25 regulatory framework is necessary with

## 1 P R O C E E D I N G S

2 specific components benefitting us  
3 both collectively as well as  
4 individually as members of the  
5 community and as users of housing.

6 The USBC promotes safe,  
7 affordable housing for Virginia, thus  
8 stabilizing neighborhoods and  
9 promoting trust in the construction  
10 industry. It should continue its  
11 progress of adopting improvements.  
12 Please recognize in the spirit of  
13 probity that the commons we all live  
14 within shares both national and global  
15 consequences.

16 The oceans, the atmosphere, the  
17 many features of planet Earth that  
18 support us are tragically threatened  
19 in a significant part by inadequately  
20 restrained market pressures.  
21 Virginians expect the Commonwealth to  
22 complete its recent progress by fully  
23 adopting the current International  
24 Code Council's model including the  
25 residential energy efficiency and the

1 P R O C E E D I N G S

2 fire protection portion.

3 Thank you.

4 MR. SAWYER: Thank you.

5 Would anybody else online wish to  
6 speak on the Statewide Fire Prevention  
7 Code?

8 CHAIR BERBERT: In the comments  
9 section, I see Kimberly Dyke-Harsley.  
10 On the Statewide Fire Prevention Code.  
11 You may begin.

12 MS. DYKE-HARSLEY: Pardon me.  
13 I'll be waiting for the building  
14 code -- Statewide Building Code.  
15 Thank you.

16 CHAIR BERBERT: All right. Thank  
17 you, Kimberly.

18 MR. SAWYER: All right.

19 Mr. Chair, we are going to the  
20 Uniform Statewide Building Code now.  
21 We have first signed up -- okay. So  
22 virtual online, we have  
23 Mr. Steve Shapiro followed by Glen  
24 Besa, and then Mr. Don Burke.

25 Yes, ma'am. And Ms.

1                   P R O C E E D I N G S

2           Dyke-Harsley.

3                   But, Steve Shapiro, if you'd like  
4           to go first.

5                   MR. SHAPIRO: Thank you. Good  
6           morning.

7                   My name is Steve Shapiro, and I  
8           represent the Apartment and Office  
9           Building Association and the Virginia  
10          Apartment Management Association.

11          We've been longtime participants in  
12          the code development process and I'm  
13          currently participating on the  
14          heating/cooling study group and the  
15          State Fire Prevention Code Energy  
16          Sub-work groups.

17                  I'd like to recognize the  
18          outstanding work that the DHDC staff  
19          does in support of the code process  
20          both at the meetings as well as  
21          between the meetings. We are  
22          fortunate to have such a dedicated,  
23          knowledgeable staff to work with.

24                  Lastly, I want to encourage the  
25          Board to keep on track so that the

## P R O C E E D I N G S

1  
2 2024 codes will become effective in  
3 October of 2027 at the latest.

4 The International Code Council,  
5 ICC, is currently developing 2027 I  
6 codes which should be available in  
7 late 2026. So we don't want to see  
8 Virginia falling further behind the  
9 most recent available codes.

10 Thank you for your time today.

11 CHAIR BERBERT: Thank you.

12 MR. SAWYER: Up next, we have  
13 Mr. Glen Besa, followed by Mr. Don  
14 Burke, and then Ms. Dyke-Harsley.

15 Mr. Besa, if you'd like to  
16 provide comment.

17 MR. BESA: Yes, my name is  
18 Glen Besa. I live in Chesterfield  
19 County. I'm speaking as a private  
20 citizen. Housing affordability is on  
21 people's minds these days. I think  
22 both of our gubernatorial candidates  
23 have addressed this issue. It's  
24 important to recognize that  
25 affordability includes not just the

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2 cost of housing, but also taxes,  
3 insurance, and utilities,  
4 specifically, energy. The rising cost  
5 of energy.

6 Energy efficiency is critical in  
7 reducing energy costs to homeowners  
8 and apartment owners. And also  
9 reducing energy pollution and climate  
10 impacts. I'm very concerned about  
11 climate impacts. And I think it's --  
12 I think we need to recognize that  
13 today's higher energy prices, you  
14 know, are reflected in the ability for  
15 people to actually afford housing.

16 And so, I think it's critically  
17 important that this -- this board  
18 adopts Virginia's Building Code to  
19 fully comply with the 2024 IECC.  
20 That's really critical that we do  
21 that. We're falling behind. There's  
22 no good reason to be doing that  
23 particularly if you are concerned with  
24 housing affordability.

25 Thank you so much for your time

## P R O C E E D I N G S

1  
2 today.

3 MR. SAWYER: Thank you, Mr. Besa.

4 Next up we have Mr. Don Burke,  
5 followed by Kimberly Dyke-Harsley, and  
6 then Mr. Bill Penniman.

7 MR. BURKE: Yes, thank you. As I  
8 mentioned earlier, I'm a longtime  
9 resident of Virginia up in Alexandria.  
10 And I'm also responding as a private  
11 citizen.

12 Virginia's building codes are the  
13 land that time forgot. We remain  
14 stuck at 2009 residential energy  
15 efficiency levels for walls and air  
16 leakage infiltration, key measures  
17 that save energy and money, improve  
18 comfort and resiliency, and reduce  
19 pollution. While the 2021 IECC  
20 significantly boosted an ample of  
21 efficiency, Virginia decided to leave  
22 walls and air leakage behind.

23 As for the current 2024 IECC  
24 standard, the DOE determined that it  
25 saves homeowners money, energy, and

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1  
2 reduces pollution compared to the 2018  
3 IECC. Virginia's Building Code should  
4 fully comply with the IECC by removing  
5 past weakening amendments and  
6 strengthening efficiency codes beyond  
7 the 2024 IECC, especially since these  
8 structural efficiencies last the  
9 lifetime of the building.

10 For example, Appendix CCG and RK  
11 regarding making building ready for EV  
12 charging should be made mandatory.

13 Despite what is heard in the  
14 mainstream media, EV adoption  
15 continues to grow and will eventually  
16 become the predominant mode of  
17 powering our vehicles. Almost  
18 certainly within the time span of the  
19 buildings being built now.

20 Improving energy efficiency is  
21 more crucial than ever due to high  
22 energy prices and the need to reduce  
23 climate impacts. Virginia law  
24 requires the building code to follow  
25 national standards for energy

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1  
2 conservation and HV2227 from the 2021  
3 legislative session requires  
4 consideration of adopting efficiency  
5 standards at least as stringent as the  
6 latest IECC.

7 Builder consent or opposition is  
8 not a relevant factor. How much  
9 longer will Virginia be lost in time  
10 by ignoring the law, model building  
11 codes, and global trends all of which  
12 will benefit homeowners and the  
13 residents of Virginia now and in the  
14 future through lower cost, less  
15 energy, and less pollution?

16 Thank you.

17 CHAIR BERBERT: All right. Thank  
18 you, Mr. Burke.

19 MR. SAWYER: Next up, we have  
20 Ms. Kimberly Dyke-Harsley followed by  
21 Mr. Bill Penniman. And if anybody  
22 would like to speak on the USBC and is  
23 online, please put your name on the  
24 chat.

25 MS. DYKE-HARSLEY: Greetings. My

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1 name is Kimberly Dyke-Harsley. I'm  
2 here today for the public hearing  
3 referencing Code of Virginia Title 36  
4 for housing, Section 36-98, where it  
5 says, "The building code shall  
6 supersede those codes and regulations  
7 of the counties and municipalities,  
8 other political subdivisions, and  
9 state agencies."

10  
11 So I look at Title 6 of the  
12 Virginia Administrative Code for  
13 Agency 15. Chapter 40 Section 1160c,  
14 as in Charlie, says, "Heat shall be  
15 equally distributed in all rooms so  
16 that a temperature no less than 65  
17 degrees is maintained."

18 "Air-conditioning for mechanical  
19 ventilation systems -- pardon me --  
20 such as electric fans shall be  
21 provided when the temperature exceeds  
22 85 degrees." I even think it's  
23 against the law where your pet can't  
24 be outside in such extreme heat or  
25 cold temperatures. What more for

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2 humans?

3 6-15-45870 says, "Well-ventilated  
4 and when the temperature exceeds 85  
5 degrees, mechanical air circulation  
6 shall be provided."

7 So I would like you as a board to  
8 ensure that, I don't know if I need to  
9 reach out to Department of General  
10 Services as the enforcer of this code  
11 for these men and women behind these  
12 walls, they have to have circulated  
13 air in this extreme heat and extreme  
14 cold.

15 Unfortunately, the bill that was  
16 pushed -- brought to delegacy made it  
17 to the governor's desk and I do  
18 understand that Governor Youngkin had  
19 to look at the appropriated money.  
20 And a study needs to be done. But I  
21 mean, how long do we need to study the  
22 effects of extreme heat and extreme  
23 cold on human beings?

24 One legislator made a reference  
25 to the military and how they were

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1 expected to endure. That's true.  
2 They don't have COPD, heart illness,  
3 high blood pressure, asthma, and  
4 certainly they have insurance to cover  
5 those things. So that really wasn't  
6 appropriate or in alignment with what  
7 our bill was hoping to push for sale  
8 conditions.  
9

10 CHAIR BERBERT: Thank you, Ms.  
11 Dyke-Harsley. Your time has expired.

12 MS. DYKE-HARSLEY: Oh, I'm so  
13 sorry. Thank you. You all have a  
14 great day.

15 CHAIR BERBERT: You, too. Thank  
16 you.

17 MR. SAWYER: Next up, we have  
18 Mr. Bill Penniman.

19 MR. PENNIMAN: Good morning. I'm  
20 William Penniman. I'm a member of the  
21 Energy Sub-work group in which I'm a  
22 volunteer representative of the  
23 Virginia chapter. The Sierra Club.  
24 This is the third building code cycle  
25 in which I've actively participated.

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2 Just a few brief points. First,  
3 maximizing energy efficiency in new  
4 dwellings is a smart and necessary  
5 investment for Virginia and its  
6 residents and it will be increasingly  
7 important as energy costs and global  
8 temperatures rise, and as power  
9 outages threaten people in homes that  
10 are poorly insulated.

11 As with the IECC -- as with each  
12 IECC update since 2009, the U.S.  
13 Department of Energy has documented  
14 that fully implementing the 2024 IECC  
15 will save residents money every year  
16 during their occupancy whether new  
17 or -- whether initial or later  
18 occupants, even after considering the  
19 incremental costs of mortgages  
20 attributable to compliance.

21 A full IECC compliance will also  
22 reduce air pollution, improve indoor  
23 comfort, reduce the need for utilities  
24 to raise rates, and increase  
25 resiliency during periods of outages.

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2 Unfortunately, Virginia has failed to  
3 fully comply with the IECC for well  
4 over a decade. It is vital that the  
5 Board remove all past weakening  
6 amendments. The most significant ones  
7 in the case of residential has to do  
8 with residential walls and insulation  
9 and air infiltration which have been  
10 behind the IECC standards since 2012.

11 These efficiency standards are  
12 especially important because they  
13 restrict air and temperature movement  
14 through a building's envelope. And  
15 because they're structural, they will  
16 last for the life of the building  
17 benefitting everyone, not just the  
18 initial owners. The IECC has  
19 reaffirmed the value and practicality  
20 of these standards for wall insulation  
21 and infiltration in five updates from  
22 2012 to 2024. It even strengthened  
23 the wall insulation standard beyond  
24 2012 levels and 2021.

25 The 2024 IECC actually lowers

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2 construction costs compared to the  
3 2021 IECC by offering builders more  
4 flexibility to implement alternative  
5 combinations of efficient measures.  
6 However, that greater flexibility is  
7 predicated on full adoption of the  
8 IECC -- IECC's prescribed standards,  
9 not on continued use of outdated  
10 standards adding --

11 CHAIR BERBERT: Thank you,  
12 Mr. Penniman.

13 MR. PENNIMAN: -- make matters  
14 worse, not better. Thank you.

15 CHAIR BERBERT: Thank you.

16 MR. SAWYER: Before we go on to  
17 the next one, is there anybody else in  
18 the room who would like to speak on  
19 the Uniform Statewide Building Code?

20 MR. JONES: I would. I believe  
21 the energy code has gotten to be too  
22 complicated and difficult --

23 MR. SAWYER: Real quick. Could  
24 you please state your name?

25 MR. JONES: Oh, my name is Joshua

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1  
2 Jones. I'm with Henrico Building  
3 Inspections.

4 MR. SAWYER: Thank you.

5 MR. JONES: I believe the energy  
6 code has gotten too difficult to build  
7 and too difficult to implement and too  
8 difficult to inspect. The additional  
9 energy efficiency options have been an  
10 extreme challenge for builders and  
11 inspectors to keep up with. They  
12 require additional planning at the  
13 front end of the construction cycle  
14 that they're not necessarily able to  
15 fully make decisions on right away.

16 People may be in gear about  
17 whether they want to do a traditional  
18 crawl space, for example. That's  
19 something that people go back and  
20 forth making that kind of change. If  
21 they are planning on having the fully  
22 enclosed building envelope option,  
23 they would have to make a change that  
24 they may not be able to fully  
25 implement.

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2 And it looks like that's going to  
3 get more complicated in the 2024 IECC.  
4 They have gone to a table R408.2.  
5 They have given a full checklist of  
6 points that we've been trying to get a  
7 head start on and it's getting to be  
8 extremely difficult. I think that's  
9 pushing people away from able to just  
10 follow a checklist and meet something  
11 that's energy efficient and it is  
12 going to require more expensive  
13 options as far as additional programs  
14 that they have to buy, additional  
15 contracting services they have to go  
16 to.

17 And that's my issue with it. I  
18 think that the energy efficiency  
19 options are something that should go.  
20 That's it.

21 CHAIR BERBERT: Thank you.

22 MR. SAWYER: I believe that  
23 concludes for the comment on the  
24 Uniform Building Code.

25 Does anybody online wish to

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2 provide comment on the Virginia  
3 Amusement Device Regulations?

4 Anybody wish to provide comment  
5 on the Industrialized Building Safety  
6 Regulations?

7 Anybody online wish to provide  
8 comment on the Virginia Certification  
9 Standards?

10 Anybody wish to provide comment  
11 on the Virginia Manufactured Home  
12 Safety Regulations?

13 Before I give it back to  
14 Mr. Chair, does anybody else online or  
15 in the room wish to provide comment on  
16 any of the six regulations we're  
17 discussing today?

18 Mr. Chair, I don't believe we  
19 have anybody else that wishes to  
20 provide comment.

21 CHAIR BERBERT: All right.

22 Since we have no further comment,  
23 we will go ahead and conclude the  
24 public hearing. All comments will be  
25 taken under advisement by the Board.

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2 I would like to reemphasize that any  
3 written statements received will be  
4 considered by the Board as well.

5 Thank you, everyone, for the  
6 information and participating today.

7 MR. SAWYER: And we are  
8 adjourned?

9 CHAIR BERBERT: Oh, yes. Sorry.  
10 We are adjourned from the hearing.

11  
12 NOTE: This concludes the July  
13 14, 2025, meeting of the Virginia  
14 Board of Housing and Community  
15 Development Public Hearing.

16  
17 (Hearing concluded at 10:25 a.m.)

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C E R T I F I C A T E

STATE OF VIRGINIA )

: ss.

COUNTY OF RICHMOND )

I, JUAN ORTEGA, a Notary Public  
within and for the State of Virginia,  
do hereby certify:

THAT SAID PROCEEDINGS is a  
transcript of the Board of Housing and  
Community Development Public Hearing,  
when held on July 14, 2025, at 10:00  
a.m. in Glen Allen, Virginia.

I further certify this is a true  
and accurate transcript to the best of  
my ability to hear and understand the  
proceedings and other incidents of the  
hearing herein as set down to the best  
of my ability.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 28th day of July,  
2025.

  
\_\_\_\_\_  
JUAN ORTEGA, CCR

A	B	C	D	
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**Agency** Department of Housing and Community Development

**Board** Board of Housing and Community Development

**Chapter** Virginia Uniform Statewide Building Code [13 VAC 5 - 63]

<b>Action</b>	<b><u>Review and Update of the Uniform Statewide Building Code (USBC)</u></b>
<b>Stage</b>	<b><u>NOIRA</u></b>
<b>Comment Period</b>	Ended on 12/2/2025

3 comments

**All comments for this forum**

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**Commenter:** John Barbato

7/9/25 2:28 pm

**State Climate Diversity**

My initial curiosity relates to how the state is planning to streamline building codes in a state that has (for example) both a hurricane-prone coastline and Special Flood Hazard Areas. Is there going to be any geographical distinctions within the new, unified code? If so, might I suggest a "one stop shop" map of which sections of the code apply to which areas of Virginia, perhaps broken down by zip code?

This would make it easier for builders, and citizens more broadly to tell at a glance which additional requirements apply to the area in which buildings are being built and/or modified.

For example, a builder looking at the map would be able to tell at a glance that:

- a building in Newport News might fall within a "+flood zone code, + hurricane zone code" area,
- a building in Roanoke would be listed in a "+flood zone code" (but not the hurricane code) area
- and a building in Fredericksburg would be listed in a "no additional requirements" area

CommentID: 236952

**Commenter:** Albert Pollard

9/16/25 2:22 pm

**Tiny houses, code access**

I have two points to make.

1) Whereas the objective of the tiny house provisions are to make housing more affordable, a 400 sf house at \$100.00/sf is still out of the range of many. I suggest that Virginia also have a provision for Tiny house with the following limitations.

200sf max for this option.

Ceiling height limited to 8ft.

Heat pump is not required.

Resistance heating is allowed.

Arc-fault breakers not required. Is there any evidence that arcs cause fires, and not just the result of a fire?

2. Whereas manual J calculations are required by the code. Manual J is not available to the public. Please make this available.

Thank you for making the code available in a form that can be searched and copied. Virginia is one of only 5 states to do so.

Submitted by Albert Pollard Sr, retired builder.

CommentID: **237159**

**Commenter:** Faith Powell

10/27/25 4:39 pm

### **Better (adequate) sound insulation between floors of multifamily buildings**

I live at The Arbor at Halley Rise, a new apartment building in Reston. The management company is Kettler and the builders are Akridge and The Meridian Group. This is podium construction which means the upper 5 floors are wood-frame and not separated by concrete slab; my understanding is that it is cheaper to build podium construction than to pour concrete between every floor. Kettler chose NOT to install carpet on the apartment floors because it also is cheaper to turn over an apartment if you don't have to replace the carpet. Because the WDU apartment on the top (7th) floor was already leased, I foolishly accepted a unit on the 6th floor believing that a newly-constructed apartment building would surely have adequate sound insulation to compensate for the lack of carpet; that was a big mistake. The materials that comprise the floor above me are 3/4 in. plywood subflooring, 1/2 in. Gyp-Crete (which is required for fire protection not sound insulation), 1/4 in. Acousti-Mat, and then the laminate flooring.

I can attest that 1/4 in. of sound insulation is NOT adequate. I have a noise diary that I will be happy to share. The resident above me has a 40-pound dog that they allow to run and jump every day multiple times a day. No one in the extremely expensive Northern Virginia apartment market should have to play Russian roulette as to what kind of "neighbor" will live above them. This is NO way to be forced to live. And it could have been prevented if the builders and Kettler had provided better sound insulation between the floors of the building by either pouring concrete slab between every floor, installing carpet or using thicker Acousti-Mat; Maxxon makes 3/4 in. Acousti-Mat.

Please, please, please change the Virginia Building Code to require adequate/better sound insulation between floors in podium construction.

CommentID: **237535**



**Agency** Department of Housing and Community Development

**Board** Board of Housing and Community Development

**Chapter** Virginia Industrialized Building Safety Regulations [13 VAC 5 - 91]

<b>Action</b>	<u>Review and Update of the Industrialized Building Safety Regulations (IBSR)</u>
<b>Stage</b>	<u>NOIRA</u>
<b>Comment Period</b>	Ended on 12/2/2025

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**Commenter:** Anonymous

6/11/25 1:50 pm

**Freedom to breathe fresh air inside and outside our homes**

Wherever a person lives in Virginia, there should be a laws against using secondhand and third hand smoke including cigarettes, vaping, marijuana and/ cannabis. Condos, apartments, townhouses and other buildings were HVAC units infiltrated into other residents' homes resulting in ongoing illnesses and even cancer. They are many people who have young children and elderly who shouldn't be exposed to air pollution.

Anyone advocating for legalization of drugs like marijuana and cannabis truly does Not care for the human lives! Encouraging drug use is not evil and cruel to all of humanity.

CommentID: **236902**



December 2, 2025

**To: Virginia Board of Housing and Community Development**

**From: Virginia Chapter of the Sierra Club  
Faith Alliance for Climate Solutions  
Climate Action Alliance of the Valley  
Climate & Clean Energy Working Group, Virginia Grassroots Coalition**

**Re: Comments on NOIRA for 2024 Building Code Update Cycle**

These comments on the 2024 code cycle NOIRA are submitted on behalf of the Virginia Chapter of the Sierra Club, Faith Alliance for Climate Solutions, Climate Action Alliance for the Valley, and the Climate & Clean Energy Working Group, Virginia Grassroots Coalition.<sup>1</sup> Collectively, these organizations have more than 25,000 members who are residents of Virginia.

**Energy Efficiency Standards At Least As Stringent as the 2024 IECC**

Under Virginia law, the International Energy Conservation Code (IECC) sets the floor for energy conservation standards in Virginia’s Uniform Statewide Building Code (“USBC”). Virginia’s standards must be “consistent with” or “at least as stringent as” the latest IECC.

Section 36-99A of the Virginia Code has long prescribed that the purpose of the USBC is to protect the public by adopting and implementing nationally recognized standards of energy conservation “at the least possible costs consistent with” those recognized standards:

“The provisions of the Building Code and modifications thereof shall be such as *to protect the health, safety and welfare of the residents of the Commonwealth*, provided that buildings and structures should be permitted to be constructed, rehabilitated and maintained at the least possible cost *consistent with recognized standards of health, safety, energy conservation and water conservation....*” (Emphasis added.)

Legislation enacted, in 2021, supplements 36-99 by calling for adoption of energy standards “at least as stringent as” the latest IECC when the benefits “over time” to residents and

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<sup>1</sup> **The Virginia Chapter of the Sierra Club** has over 15,000 members. The Sierra Club is a non-profit, membership organization dedicated to exploring, enjoying and protecting wild places; to promoting the responsible use of the Earth’s resources and ecosystems; to educating and enlisting humanity to protect and restore the quality of the natural and human environment; and to using all lawful means to carry out those objectives. **The Faith Alliance for Climate Solutions (FACS)** is a non-profit organization with more than 185 faith communities and 3,600 faith-based activists in Virginia whose mission is to develop local solutions to climate change. **Climate Action Alliance of the Valley (CAAV)** is an organization representing at least 1,000 residents of the Shenandoah Valley. CAAV’s mission is to limit the impact of humans on Earth’s climate and minimize the effects of inevitable climate change in order to protect the future for Earth and its inhabitants. **The Virginia Grass Roots Coalition** includes over 50 grass roots organizations with over 10,000 members.

the public exceed the incremental costs of construction. VIRGINIA ACTS OF ASSEMBLY – 2021 SPECIAL SESSION I, CHAPTER 425, Section 1 (referred to herein as “H2227”).

Nothing in Virginia law supports reducing construction costs at the expense of weakening energy conservation standards in the IECC, Virginia’s accepted model code for energy conservation. Thus, the end result of the code development process may modify the means of achieving, at a minimum, the energy efficiency levels prescribed by the IECC; however, nothing supports adopting or continuing energy conservation standards that are less efficient than the IECC. Additional and more efficient standards are called for when savings over time exceed the construction costs or would otherwise benefit the public health and welfare.

### **Residents and the Public Would Benefit from More Stringent Efficiency Standards**

Full implementation of the IECC serves the public interest consistent with the IECC as prescribed by Virginia Code Section 36.99A. Some proposals we support go beyond the IECC based on the standards in H2227. In this regard,

- The ICC process that produced the 2024 IECC (like earlier IECC updates) was a multi-year effort of experts and stakeholders that carefully vetted the amendments before their adoption. Technical developments, experience, regional climate differences, feasibility, costs and benefits were considered. The development process required super-majorities in committees and was subject to appeals.
- The 2024 IECC greatly increases builders’ flexibility to meet the IECC’s efficiency minimums, and construction costs of implementing the 2024 IECC have been reduced compared to the 2021 IECC.
- The U.S. Department of Energy (DOE) and the Pacific Northwest National Laboratory (PNNL) have found that residents’ net savings from fully implementing the 2024 IECC exceed the incremental costs of construction over time and save money for residents every year compared to the incremental costs of mortgages and taxes.
- DOE and PNNL previously found that fully implementing each IECC update for 2009, 2012, 2015, 2018 and 2021 produced annual cost savings (energy savings exceeding incremental costs of mortgage and taxes) for residents, and the energy cost savings exceeded the incremental construction costs. DOE has made similar findings for updates of the IECC’s commercial building standards.
- DOE and PNNL also found that the cumulative reductions of costs and pollution from fully implementing the IECC’s 2012 – 2024 updates would save residents and the public billions of dollars.
- Cost savings in dwellings meeting IECC standards will enhance affordability for residents for many decades, particularly in the case of structural efficiency measures (*e.g.*, wall insulation, air tightness, readiness standards). Buildings are expected to operate for 50-100 years so the value of upfront investments is large and enhances affordability for both initial and future occupants.

- Retrofit costs far exceed the cost of installing efficiency measures during initial construction, so that residents will suffer from higher future retrofit and renovation costs, as well as higher energy costs.
- By protecting residents from current and rising energy costs, efficiency improvements will increase affordability for occupants, leaving them with more funds for mortgages, rents, food, health, insurance, education, etc. Lenders and landlords, among others, will also benefit.
- Health and comfort benefits will also accrue to residents from fully implementing the IECC. Risks of mold and vermin, for example, will be reduced by tighter construction that meets or exceeds 2024 IECC standards. Public health will benefit from reduced air pollution (including climate pollution) and reduced harm to land and other resources from higher energy demands and associated energy production and combustion.
- Greater building energy efficiency will dampen utility rates for all customers by reducing utilities' need to construct and operate new generation, distribution and transmission facilities. It will also reduce the need for ratepayer-funded efficiency retrofits, which cost utilities many millions of dollars.

Given Virginia law and independent analysis from DOE/PNNL and the ICC, the Board should begin the 2024 building code regulatory process with a proposal and a presumption that it will implement the full IECC and adopt any more stringent efficiency standards that meet the criteria in H2227. It should not start from a so-called “Base Document” that presumptively carries forward past weakening amendments to Virginia’s code compared to prior editions of the IECC.

Unfortunately, weakening amendments that entered Virginia’s building code in 2012 or later have been carried forward by the Board for cycle after cycle. That has occurred despite the ICC’s repeatedly renewing or strengthening energy efficiency standards and despite DOE/PNNL’s repeated findings that full implementation of IECC standards would save occupants money and benefit the public. Recurring extensions of weakened efficiency provisions have occurred because of a combination of two practices that have no basis in law or regulation: (a) the Staff’s “base document” starts by presuming continuation of the prior cycle’s weakened code provisions, rather than assuming that Virginia’s code will become “consistent with” more efficient IECC standards, and (b) the Board has allowed an informal “consensus” practice to extend past weakening amendments and block more stringent proposals whenever builders object to such proposals, effectively giving them a veto. Those practices and results are inconsistent with statutory standards and with the interests of occupants and the public.

### **Conclusion**

It is critical for the Board to adopt standards that are “consistent with” and “least as stringent as” the full IECC. Full IECC compliance must be the minimum, subject to possible modifications that achieve equivalent energy savings and other benefits at lower costs. Proposals that are more stringent than the IECC should be adopted if they save money over time compared to the initial cost of construction or otherwise benefit the public by reducing pollution and other

costs. Adopting IECC or higher standards will best protect owners, tenants, landlords and the public for decades to come.

Respectfully submitted,

*William Penniman*

Connor Kish, Director

William Penniman, Sustainability Chair

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Submitted Via Email to [codedevelopment@dhcd.virginia.gov](mailto:codedevelopment@dhcd.virginia.gov)

April 3, 2026

Louie Berbert, Chair  
Virginia Board of Housing and Community Development  
600 East Main Street, Suite #300  
Richmond, VA 23219

**RE: RECA Comments Supporting the Adoption of the 2024 *IECC* for Residential and Commercial Construction in Virginia and Recommending Additional Improvements**

Dear Chairman Berbert,

The Responsible Energy Codes Alliance<sup>1</sup> submits these comments in support of the proposed incorporation of the 2024 International Energy Conservation Code (*IECC*) into Virginia's Uniform Statewide Building Code (USBC) for residential and commercial construction. We have been active participants in the current and previous USBC updates and we support the important work of the Department of Housing and Community Development (DHCD) to help ensure safe, affordable, and efficient construction and renovation in the Commonwealth. **As with the 2021 update, the 2024 *IECC* provides cost-effective, energy saving improvements that will benefit Virginians for generations.**

In addition to our general support for the improvements approved through the stakeholder process, we write specifically to recommend two additional changes that have been part of the model energy code for several cycles, but which Virginia has never adopted: (1) We recommend adopting the full wall insulation requirements of the 2024 *IECC*, or at a minimum, the proposed compromise advanced by the Virginia Building Code Officials Association (VBCOA); and (2) we recommend an incremental improvement to envelope air tightness requirements to bring long-term energy saving and comfort benefits to homeowners.

**Energy and Cost Savings of the 2024 *IECC***

Adopting the 2024 *IECC* residential provisions will make homes more affordable and comfortable for Virginians, and adopting the *IECC* commercial provisions (including the

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<sup>1</sup> RECA is a national coalition of building products manufacturers, trade associations, environmental groups, regional efficiency advocates and other organizations that support the adoption of the latest model energy codes across the country.

alternative to comply with *ASHRAE* Standard 90.1-2022) will help protect businesses against unprecedented increases in energy costs. For the last two decades, the *IECC* has improved in efficiency with every new edition. According to the U.S. Department of Energy, the 2024 *IECC* will reduce energy bills by an average of 6.6% over the 2021 *IECC*.<sup>2</sup> Likewise, buildings constructed to *ASHRAE* Standard 90.1-2022 will cost an average of 8.9% less to operate than buildings constructed to *ASHRAE* Standard 90.1-2019.<sup>3</sup> (Standard 90.1 is incorporated as a compliance option in the commercial chapter of the *IECC*, and the energy savings figures for the *IECC*-Commercial Provisions and Standard 90.1 are typically similar.) As indicated in the summary table of DOE findings below, the owners and occupants of both residential and commercial buildings in Virginia stand to benefit from substantial cost savings with the adoption of the most recent editions of the model codes.

Comparison of Unamended Model Code Energy Cost Savings					
Residential (2024 <i>IECC</i> ) <sup>4</sup>			Commercial ( <i>ASHRAE</i> 90.1-2022) <sup>5</sup>		
Climate Zone	Energy Cost Savings over 2021 <i>IECC</i>	30-year Cost Savings over 2021 <i>IECC</i>	Climate Zone	Energy Cost Savings over 90.1-2019	30-year Cost Savings over 90.1-2019
3	6.08%	\$2,509	3	8.9%	\$1.35/sq.ft.
4	6.79%	\$3,790	4	9.8%	\$1.32/sq.ft.
5	5.53%	\$2,496	5	10.1%	\$1.38/sq.ft.

**Efficient Homes are Affordable Homes.** Home affordability is an important consideration in any code update process, and it is well-documented that homes constructed to the full 2021/24 *IECC* requirements—including the insulation and air sealing requirements—will provide more comfort and lower energy bills for occupants, and these codes have been repeatedly demonstrated to be cost-effective to the consumer.<sup>6</sup> Unlike some

<sup>2</sup> See U.S. Dep’t of Energy, *Energy Savings Analysis: 2024 IECC for Residential Buildings*, at iv (Dec. 2024).

<sup>3</sup> See U.S. Dep’t of Energy, *ANSI/ASHRAE/IES Standard 90.1-2022: Energy Savings Analysis*, at vii (Feb. 2024), available at [https://energycodes.gov/sites/default/files/2024-02/Standard\\_90.1-2022\\_Final\\_Determination\\_TSD.pdf](https://energycodes.gov/sites/default/files/2024-02/Standard_90.1-2022_Final_Determination_TSD.pdf).

<sup>4</sup> See U.S. Dep’t of Energy, *Energy Savings Analysis: 2024 IECC for Residential Buildings*, at iv (Dec. 2024), available at [https://energycodes.gov/sites/default/files/2024-12/2024\\_IECC\\_Determination\\_TSD.pdf](https://energycodes.gov/sites/default/files/2024-12/2024_IECC_Determination_TSD.pdf).

<sup>5</sup> See U.S. Dep’t of Energy, *ANSI/ASHRAE/IES Standard 90.1-2022: Energy Savings Analysis*, at 24, 27 (Feb. 2024), available at [https://energycodes.gov/sites/default/files/2024-02/Standard\\_90.1-2022\\_Final\\_Determination\\_TSD.pdf](https://energycodes.gov/sites/default/files/2024-02/Standard_90.1-2022_Final_Determination_TSD.pdf).

<sup>6</sup> See, e.g., U.S. Dep’t of Energy, *National Cost-Effectiveness of the Residential Provisions of the 2024 IECC* (Jan. 2025) (finding an average of \$2,954 in savings over 30 years in new residential homes constructed to the 2024 *IECC*, with an average simple payback period of 2.5 years).

equipment and other components of the building that must be replaced on a regular basis, elements of the thermal envelope such as insulation will last many decades, providing long-term benefits for homeowners. Although we acknowledge the interest of homebuilders and developers in keeping costs low during construction, that interest must be balanced against the owner/occupant's interest in keeping operating costs low over the next 100 years. The most cost-effective time to insulate homes and commercial buildings is at construction, and it is crucially important that Virginia set efficiency requirements that make sense over the expected lifetime of each new home, and not just at the construction phase.

### **RECA Recommendation 1: Update Residential Wall Insulation Requirements Consistent with the *IECC*.**

**Virginia currently allows 75% less efficient walls than the 2021/24 *IECC*.** In the 2012 USBC update cycle, Virginia elected to not adopt the wall insulation requirements of the 2012 *IECC*, and has not made any improvements in wall insulation requirements since then. Based on U.S. Census data, we estimate that over 250,000 single family homes have been constructed in Virginia since 2012,<sup>7</sup> and all of these homes were not subject to the insulation requirements set through the consensus-based national model code development process. Wall insulation efficiency improved in both the 2012 and 2021 *IECC* updates—neither of which has been adopted by Virginia, despite proposals submitted by RECA and other stakeholders in every code update cycle to meet the national standard.

**We recommend that the Board approve Proposal REC-R402.1.2(2)-24 to incorporate the full wall insulation requirements of the 2024 *IECC*.** If the Board would prefer to phase in these requirements over multiple code cycles, we recommend adopting Proposal **REC-R402.1.2-24 (as modified)**, which was submitted by VBCOA and is supported by a wide range of stakeholders. This proposal would allow Virginia to catch up to the 2012 *IECC* insulation requirements and would also correct a technical flaw in Virginia's current wall insulation requirement that could lead to durability issues over time.<sup>8</sup> It is important that Virginia act now to improve the thermal envelope of new homes before another 250,000 homes are built to a lesser standard.

### **RECA Recommendation 2: Update Residential Envelope Air Tightness Requirements Consistent with the *IECC*.**

In the 2018 USBC update, Virginia adopted a requirement that each new home receive a blower door test  $\leq 5$  ACH50, which had not been required in previous editions of the USBC.

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<sup>7</sup> See <https://www.census.gov/construction/bps/index.html>.

<sup>8</sup> Virginia's current prescriptive wall insulation requirement includes an option for an R-13+1c.i. wall assembly, which could increase the risk for condensation within the wall cavity. We believe either the 2024 *IECC* wall insulation R-value options or the modified proposal REC-R402.1.2-24 would adequately address this technical problem.

While this was a substantial improvement, it was still weaker than the full *IECC* requirement of  $\leq 3$  ACH50. Every edition of the *IECC* since 2012 has required new homes to be tested to  $\leq 3$  ACH50, but the 2024 *IECC* provides a number of exceptions and workarounds for smaller dwelling units and multifamily buildings that we believe will allow additional flexibility to help homebuilders achieve the improved efficiency. We recommend that the Board approve Proposal **REC-R402.4.1.2-24 to incorporate the full air leakage testing requirements of the 2024 *IECC*.**

In reality, the only significant cost of meeting the envelope air leakage target has already been incorporated into Virginia's USBC—the cost of the test itself. As code users have become more experienced with air sealing techniques and best practices, we have observed improvements in envelope tightness across the country. We are confident that Virginia code users will have no problem achieving  $\leq 3$  ACH50 at little to no extra cost, and for smaller dwelling units or complicated designs, the 2024 *IECC* provides several alternatives.<sup>9</sup> We recommend that Virginia adopt the air tightness testing requirement as published in the 2024 *IECC*.

## **Conclusion**

RECA's members and supporters have been involved in energy code development and adoption for decades, and we offer our assistance and experience as you work to maximize energy efficiency in residential and commercial buildings. Please contact us if you have any questions or would like to discuss how RECA can be of assistance.

Sincerely,

Eric Lacey  
RECA Chairman

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<sup>9</sup> See Section R402.5.1.3 of the 2024 *IECC*.

*RECA is a broad coalition of energy efficiency professionals, regional efficiency organizations, product and equipment manufacturers, trade associations, and environmental organizations with expertise in the development, adoption, and implementation of building energy codes nationwide. RECA is dedicated to improving the energy efficiency of homes throughout the U.S. through greater use of energy efficient practices and building products. It is administered by the Alliance to Save Energy, a non-profit coalition of business, government, environmental and consumer leaders that supports energy efficiency as a cost-effective energy resource under existing market conditions and advocates energy-efficiency policies that minimize costs to society and individual consumers. Below is a list of RECA Members that endorse these comments.*

Air Barrier Association of America

Alliance to Save Energy

American Chemistry Council

American Council for an Energy-Efficient Economy

CertainTeed LLC

EPS Industry Alliance

Extruded Polystyrene Foam Association

Institute for Market Transformation

Johns Manville Corporation

Knauf Insulation

National Fenestration Rating Council

Natural Resources Defense Council

North American Insulation Manufacturers Association

Owens Corning

Polyisocyanurate Insulation Manufacturers Association





April 6, 2026

Dear Members of the Board of Housing and Community Development,

I am writing on behalf of the Virginia Building and Code Officials Association (VBCOA) to express our strong support for the Board's ongoing code adoption process and to commend your continued commitment to ensuring a safe, resilient, and sustainable built environment across the Commonwealth.

The development and adoption of building and fire codes is a fundamental responsibility that directly impacts the health, safety, and welfare of our communities. Your deliberate and transparent approach, grounded in stakeholder input and technical expertise, ensures that Virginia's codes remain both effective and practical in their application.

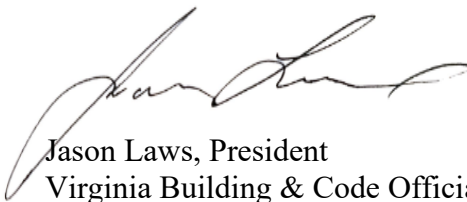
We particularly appreciate the Board's continued engagement with local officials, industry professionals, and community stakeholders throughout this process. This collaborative effort strengthens the final code provisions and promotes consistency in enforcement across jurisdictions, ultimately benefiting citizens, businesses, and code officials alike.

As the built environment continues to evolve in response to emerging technologies, innovative construction methods, and increasing environmental challenges, your leadership is critical in striking the appropriate balance between safety, affordability, and innovation. Your work not only protects lives and property but also supports economic development and long-term community resilience across the Commonwealth.

VBCOA fully supports all consensus proposals as presented, as well as most non-consensus proposals. We respectfully request the Board's careful consideration of proposals B105.2.1-24 and REC-R402.1.2-24 as you finalize your decisions as VBCOA is in full support of both.

Thank you for your dedication, professionalism, and continued service to the Commonwealth of Virginia.

Respectfully,



Jason Laws, President  
Virginia Building & Code Officials Association



## Moldovan, Florin (DHCD)

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**From:** Sampl, Christopher M <Christopher.Sampl@fairfaxcounty.gov>  
**Sent:** Monday, April 13, 2026 1:44 PM  
**To:** Brown, Jeff (DHCD); Moldovan, Florin (DHCD)  
**Cc:** codedevelopment (DHCD); Matthew J. Bonifant; Jones, Aaron; Andrew C. Milliken  
**Subject:** Floor Amendment for B918.2 - Notes Revision  
**Attachments:** [EXTERNAL]RE: Floor Amendment for B918.1-24 page 340; Fw: Re: Code Change and Floor Amendment - for next week's code hearing

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Good afternoon, Jeff and Florin.

I was looking at the notes from the January 5<sup>th</sup> meeting, and it does not look like the notes indicate that everyone present would be agreeable to deleting "voluntary" from "918.4.1 Voluntary Wireless In-Building Communications Coverage" and "918.5.1 Voluntary Wireless In-Building Communications Coverage." This was discussed at the end of the conversation on the 2024 B918.2-24 code change proposal for in-building communications made by Matthew Bonifant. This note would substantially strengthen the proposal's position going into May and I respectfully ask that it be looked at and added with your concurrence.

The meeting notes are located here by selecting "Summary" under January 5-6 General Stakeholder Workgroup Meeting and then going to page 14-16 of the Day 2 section:  
<https://www.dhcd.virginia.gov/2024-code-development-cycle>

Thank you for your time and consideration. Please let me know if you need anything further.

Chris

**Christopher Sampl, Battalion Chief**  
Fairfax County Fire and Rescue Department  
Office of the Fire Marshal - Technical Services  
Cell: [571.495.0951](tel:571.495.0951)  
Office: [703.246.4889](tel:703.246.4889)  
Email: [csampl@fairfaxcounty.gov](mailto:csampl@fairfaxcounty.gov)



**Chris Stone, PE, F.NSPE, F.ASCE**  
3315 E. Marshall St.  
Richmond, VA 23223  
e. [cstone8562@outlook.com](mailto:cstone8562@outlook.com)  
c. 757.615.8318

**September 14, 2025**

**Board of Housing and Community Development**  
Virginia Department of Housing and Community Development  
Main Street Centre  
600 East Main Street, Suite 300  
Richmond, VA 23219

**Subject: Support for Timely Adoption of ASCE 7-28 into the Virginia USBC**

Dear Members of the Board of Housing and Community Development,

I am writing to urge the Commonwealth of Virginia to commit to the timely review and adoption of the upcoming **ASCE/SEI 7-28** standard into the next edition of the **Virginia Uniform Statewide Building Code (USBC)**. As a Professional Engineer and advocate for safe, resilient, and forward-looking building practices, I believe it is essential that Virginia continue to lead in adopting the most current structural design standards.

ASCE's standards, like **ASCE 7** and **ASCE 24**, are already available and based on the best hazard data from FEMA, NOAA, and USGS. They raise the bar from outdated 100-year flood levels to 500-year events, and they account for sea-level rise and future climate conditions.

The **ASCE 7 standard** forms the backbone of building safety in the United States. Its periodic updates incorporate the latest scientific research, post-disaster findings, and climate data. The recent adoption of **ASCE 7-22** was a welcome step, particularly as it introduced enhanced provisions for **tornado loads, updated snow load maps, and refined wind and seismic design criteria**. However, the building and engineering community is already anticipating the advances in **ASCE 7-28**, which is expected to address:

- **Increased accuracy in hazard modeling**, especially related to extreme wind and flood events
- **More climate-resilient design guidance** in light of shifting weather patterns
- **Refinements for risk-targeted performance**, including improved probabilistic approaches
- **Advancements in digital delivery** and integration with BIM tools for modern design workflows

Virginia is already experiencing the effects of intensifying weather events, coastal vulnerability, and aging infrastructure. By aligning the USBC with ASCE 7-28 shortly after its national release, the Commonwealth will:

1. **Protect Life and Property** – Ensuring our structures are built to meet the latest hazard mitigation knowledge;
2. **Support Economic Resilience** – Reducing costly damage, downtime, and insurance losses after disasters;
3. **Enable Innovation** – Giving engineers and architects access to the best available tools and methodologies;
4. **Demonstrate Leadership** – Reinforcing Virginia’s commitment to safety, sustainability, and technical excellence.

I encourage the BHCD to begin preparing for the integration of ASCE 7-28 into the next code cycle with minimal delay and to solicit input from structural engineers, architects, and risk analysts throughout the process.

Thank you for your dedication to public safety and to the future of Virginia’s built environment. I would welcome the opportunity to further discuss or support this important effort.

Sincerely,



**Christopher M. Stone, PE, F.NSPE, F.ASCE**  
Professional Engineer, Emeritus

## Moldovan, Florin (DHCD)

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**From:** Anita C <ahc365@gmail.com>  
**Sent:** Tuesday, August 19, 2025 3:44 PM  
**To:** Publiccomment\_codedevelopment (DHCD)  
**Subject:** Residential building codes

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Good afternoon,

I'm writing regarding the current codes for residential homes in Virginia. We've lived in Virginia for 30 years now and have purchased a few homes. Our recent buy in the Wellspring neighborhood in Chesterfield county 3 years ago is proving to be the most difficult. I've spoken with many county building personnel and our county representative. The current building codes for crawl spaces, grading and inspections are outdated in my opinion. Many new homes here have crawl spaces and they aren't waterproofed. Many like ours don't have the proper drainage to alleviate groundwater intrusion. Basements require waterproofing and so should the crawl space foundation that's below ground. I'm hearing from many homeowners that are having major crawl space problems and the expense to repair these problems are very expensive! Why doesn't the state make it mandatory to encapsulate crawl spaces and get rid of these vents that do more harm than good? We have shallow groundwater on our lot and now have to pay thousands of dollars to mitigate the mold, water and moisture in our crawl space. This builder (Prospect Custom Homes) placed a sump pump in the side yard because of the standing water but not in the crawl space. We're just the second owners and they're out of business. I want to hold them accountable for these issues but we don't have a structural warranty. This too should be mandatory for all builders to issue a minimum 15 year warranty for crawl spaces and 25 year for

basements. Virginia is making it too difficult for homeowners and way too easy for builders. Let me also say builders should not get waivers to not add second entrances when they're required by the county or not have proper lighting in new communities. This needs to change as well. I'm hoping to get a response from someone regarding this.

Sincerely,  
Anita Creelan

## **Moldovan, Florin (DHCD)**

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**From:** Brown, Jeff (DHCD)  
**Sent:** Wednesday, December 3, 2025 2:26 PM  
**To:** Sawyer, Chase (DHCD)  
**Cc:** Moldovan, Florin (DHCD)  
**Subject:** FW: Sustainable Living site revisions  
**Attachments:** ConsumerPressure2.doc

Hi Chase,

The email below (and attachment) was addressed to Cindy, but it is related to building code changes, so I am passing it along as a general public comment for the BHCD. We will add it to our file with the other code cycle related public comments that we have received and will include it in the board package in March unless you tell us otherwise.

Thanks,

**JEFF BROWN, MCP, CBO, CFM**

Deputy Director of Building and Fire Regulation  
Virginia Department of Housing and Community Development (DHCD)  
804.371.7161  
[jeff.brown@dhcd.virginia.gov](mailto:jeff.brown@dhcd.virginia.gov)

---

**From:** Stu Rose <stu@gardenatriums.com>  
**Sent:** Wednesday, December 3, 2025 12:26 PM  
**To:** cindy.davis@dhcd.virginia.gov  
**Cc:** Brown, Jeff (DHCD) <Jeff.Brown@dhcd.virginia.gov>; garrett.dyer@vdfp.virginia.gov; trina@gardenatriums.com  
**Subject:** Sustainable Living site revisions

Hello, Ms. Davis.

My goal is to cause widespread change to what I now see as “Sustainable Living.” To that end, I developed a small net zero development, the “Garden Atriums of Poquoson,” that Finland’s research said was the most sustainable development in the U.S.

Specifically ... each home provides – without utilities or a drop of fossil fuel – 100% of the heating, cooling, chemical-free water, electricity for home & e-car, and (measured) healthier indoor air than outdoors. Our only utility bill (other than municipal waste and recycling) is Verizon. We also got conservation zoning enacted in Poquoson; Homeowners own their own home, fee simple, and a share of the conservation zone – which consumes about 60% of our site and is governed by a consensus-based HOA. The conservation zone includes a pond, with gazebo, a boat dock, a children’s playground, an open park for sports, and a vegetable garden with greenhouse. We also planted over a hundred trees, to improve air quality and safety along driveways. However ...

The #1 reason people bought one of our homes was the aesthetics of the home and site, not eco-anything or the cost savings from low-to-no utility bills. Initially, that was startling, as I’d engaged several experienced specialists to satisfy everything a house should provide without using fossil fuels, and leaving the site healthier than it was when we began the development. But their reason for buying was for a better quality-of-life

experience ... in which “beauty is king.” So ... I now see “Sustainable Living” as (1) net zero in terms of utilities and healthier environments, and (2) greater beauty and quality-of-life experience in homes and landscapes.

While I have a doctorate, there’s always more to learn. With Virginia’s generosity, I audit a class almost every semester at CNU ... a course that was never in my degree-centered program. I just completed a sociology course that focuses on societal change. In real estate sales, I learned that many people want a home that’s “normal.” It helps people gain acceptance with neighbors and provide better assurance of eventual resale. However ...

Technology and climate changes have impacted our lives faster than home designs. Developers and homebuilders take on serious risk when they initiate a new development. Just a slight market slow-down can bankrupt a company that’s been in business for a few decades, so they tend to be cautious about changing their product. Having net zero homes become normal will take a lot of repetition.

In looking at changes that mitigate our climate crisis, mandating solar panels and electric cars becomes problematic, in terms of limiting our freedom of choice. And neither mandates will change societal norms. However, mandating conservation zones with pedestrian paths will cause positive lifestyle change toward Sustainable Living. I consulted with a Milwaukee firm whose forte is making dead communities lively. Their key: Pedestrian cross-paths.

Subdivisions grew from oil industry influence after WWII. Using the need to move ICBMs, they got Congress to fund the Interstate highway system. Then, instead of having people walk to the corner store, they wanted people to drive to the mall. So, subdivisions sprouted up, and are auto-based, many without sidewalks. You don't build a relationship with neighbors as you drive past them; on foot you eventually will. In a Garden Atrium homeowner meeting, someone commented that this was "living in community." They knew all their neighbors and felt they could get help if ever needed. A report titled "Suburban Isolation" details this phenomenon. As you

might guess, isolation leads to frustration, which can evolve to anger.

A simple code change that mandates conservation zones with pedestrian cross-paths will improve our quality-of-life experience. Household density can remain the same. The clustering that accompanies conservation zoning cuts the initial and maintenance costs of infrastructure, which helps cities and developers. (In fact, a traditional developer who coaches my activities used the same conservation zoning code on his next development.) What's needed to solve the climate crisis?

PV installations, despite political change, are still growing. U.S. E-car sales – though nowhere near Norway's 93% of all new car sales – are still growing. The third change needed to support the transition to net zero sustainable living is a code requirement for a conservation zone with pedestrian cross-paths. The outcome will be better for developers, for all of us, and for Earth.

*Stu Rose*

Stuart W. Rose, Ph.D.

[stu@gardenatriums.com](mailto:stu@gardenatriums.com)

(757) 868-5950

## Going Where No Zoning Code Has Gone Before

Stuart W. Rose, Ph.D.

Two startling discoveries emerged from my experience in creating Garden Atriums, a net zero sustainable community in Poquoson, VA that Finland's research found to be the most sustainable development in the U.S. ...

1. It cost no more than a traditional home, per square foot, to create a home that, without monthly utility bills, provides its own heating, cooling, electricity (for home and e-car,) chemical-free water, and has indoor air quality that toxicologists found healthier than outdoor air.
2. The #1 reason people bought such a home was the better aesthetics of the home and site. The quality-of-life experience dominated buying decisions, not eco-anything or saving money on utility bills.

However, one group of homes with more desirable aesthetics and zero fossil fuel use has not led to widespread change in residential development. But ...

A third discovery emerged a few years later. Realtor statistics say that, for a variety of reasons, homes tend to go up for resale every nine to eleven years. Yet, in almost 25 years, only one Garden Atrium went up for resale; it sold in one hour, without signage, the morning after it was listed. The reason:

### **Personal relationships and caring between homeowners.**

In the Garden Atrium community, homeowners own their home and lot, fee simple. They also own a share of a conservation zone, governed by homeowner consensus. By passing one another on conservation zone paths, residents got to know one another. Their term: "Living in Community," means ...

*"I feel that if I'm ever in need of help, I  
can go to one of my neighbors for help.*

*"And if any of my neighbors came to me  
for help, I'd unquestionably do what I could."*

In fact, when one of our homeowners, parents with two small children, were furloughed federal employees, everyone stepped in – without hesitation – to provide support. As relationships grow, caring grows. As Garden Atrium homeowners stay more than twice as long as traditional home-owners they're likely experiencing a better quality-of-life experience. However ...

While the net zero sustainable homes and the site qualities sound fine, we're all creatures of habit. And the vast majority of residential developments are auto-based. What's wrong with that?

### **Suburban Isolation.**

Here are excerpts from the March 31, 2025 Sustainability Directory: *"The cultural narrative, often reinforced by media and social expectations, can subtly discourage reaching out or relying on neighbors.*

- *"Privacy Paradox → the desire for privacy, while natural, can lead to reduced social interaction and a sense of being walled off.*
- *"Individualism Bias → Cultural emphasis on individualism can overshadow the benefits of community support and interdependence.*
- *"Fear of Vulnerability → Suburban norms may subtly discourage displays of vulnerability or need, making it harder to ask for help or connect on a deeper level."*

*"Suburban isolation can be seen as a manifestation of a broader existential crisis in modern society – a disconnect from nature, community, and even a sense of purpose.*

*"Suburban isolation is deeply intertwined with unsustainability. Low density sprawl necessitates extensive infrastructure – roads, utilities, and car fleets – leading to increased resource consumption and carbon emissions.*

*"In this light, addressing Suburban Isolation is not merely a social issue, but a vital step towards ecological sustainability. Creating denser, more walkable and community-focused suburbs is inherently more resource efficient and environmentally responsible."*

As privacy, but not isolation, seems a desirable life-enjoyment condition, here are some thoughts from Serge Chermayeff's "Community and Privacy," an insightful book I read (seemingly) a few thousand years ago ...

It defines privacy by the intended occupants of a space. And spaces with different privacy criteria need a lock (ie type of space) between them. The analogy: If you're going from the Pacific Ocean to the Atlantic, you open the gate of a lock so that it's part of the Pacific. Then close the gate. Then open the other gate so it's now part of the Atlantic. So, a lock is a transition space that eases movement from one privacy type to another. For instance ...

When you enter a restaurant ... the first space is a transition between “outside world” and dining area. Later, if you need a restroom, you enter a small hallway – a lock – then you enter a restroom. Opening a restroom door directly into the dining area would be uncomfortable both to diners and people coming out of the restroom.

In a typical subdivision, the front door of a home opens to the street, with no lock. With only a grass lawn, it’s an invasion of homeowner privacy. So, people enter a side door, using a car port or garage as a lock. When you look at the street life of a typical well-groomed subdivision, you’ll usually see no one. But they may have a patio or leisure space behind their home.

In the Garden Atrium community, homes are as close to the street as the code allows. Between the street and homes are trees and shrubs, which define a visual lock. The conservation zone, with its paths and recreational areas is defined as Garden Atrium resident privacy. Tall shrubs and trees define a lock between that space and each home’s rear yard,

The result?

Everyone enjoys privacy. Everyone also enjoys their connection to others. In fact, “caring” evolves to “compassion” and then to “empathy.” And the most important part: if we wish to evolve to a truly sustainable world, we need people to care about family ... and neighbors ... and both others and the environment in our city, our nation and our world. However ...

From the 14 August 2023 issue of The Atlantic, David Brooks cites, in an article, “**How America got Mean,**” three steps to moral formation:

1. Help people learn to restrain selfishness.
2. Teach social and ethical skills.
3. Help find a purpose in life.

He then offers a list of traits that led him to the title of the article ...

- Make money. (with a limited amount, it’s zero-sum thinking).
- Do what makes us happy. (ergo also care for others and Earth.)
- People are anxious and insecure. (The 24-7 news.)
- Distrust and hostility – vs – being open to new people.

- “Go out and play together” – vs – “(zero sum) Go out and win.”
- Social media, hand-held devices → isolationists.  
(I can get everything I need without others.)
- Losing ability to do things together in unstructured ways.
- Underlying anger ... feeling left out.

Who would buy these eight traits as a problem?

**Anyone looking to live “in community.”**

So ...

We have one example of “Sustainable Living” producing positive quality-of-life outcomes – but – done within a traditional auto-based unsustainable environment that also yields a lower quality-of-life experience. So ...

**What might be a simple, straight-forward way to cause widespread change toward Sustainable Living outcomes?**

On the technical side, regardless of political policies that support or hinder replacing our power source with renewable sources, the use of rooftop solar power installations is growing. It’s less costly and as reliable as the sunrise.

For example, using Google numbers and while the IRA was in effect, if the owner of an average 3BR, 2B rancher added a 5 kWh rooftop solar array, then bought a \$30,000 e-car of their choice – and many have a range of 250 miles or more per charge – their cost, for the new car, for the PV array, and for the power for their home and car would only run about \$64 a month.

Also on the technical side, the transition to e-cars is growing. In Norway, for example, 93 percent of all new car sales are electric. A couple of years ago, I took a trip to Bergen to ride a ferry that visits their western fjords. Traffic in Bergen was robust, but it was a lot quieter and the air was healthier. In the U.S., an oil-producing nation, our transition is slower. But it’s happening.

As I thought I should “walk the talk,” in 2013 I bought an e-car. Its 70-mile range is far less than today’s. But it’s peppier, and more fun to drive, so ...

I use it for 100% of my local needs. We kept our old (paid for) car and use it maybe once or twice a month for drives to more distant destinations. The transition to rooftop solar power and e-cars is happening. What remains?

Solar power and e-cars don't cause social change. Widespread change to truly Sustainable Living, needs conservation zones with on-site pedestrian paths to increase our sense of caring, compassion and empathy. Site design for future developments must use an adjusted the zoning code. My proposal:

### **“Paths to Sustainable Living”**

**New residential development driveways must be on the perimeter, then the homes, then a conservation zone, using a significant portion of the site, with pedestrian cross-paths, connecting homes and leisure amenities.**

Such a plan might not be relevant for a development of one or two homes, so the code may need tweaking to fit different situations. The plan must be submitted to a government representative with relevant degrees and credentials, such as a landscape architect. And the plan's implementation should be included as part of the new home code occupancy compliance process.

The results?

For homeowners: Replacing isolation, frustration, and underlying anger with a happier, healthier quality-of-life experience. Places to walk right outside their door, and comfort in knowing their neighbors and “Living in community,”

For governments: Environmental compliance, higher property value & tax revenue, and much lower utility maintenance costs.

For developers: Financial savings, with less road & utility installation.

Environmentally: Healthier land, more permeable surfaces, flood control.

For realtors: Higher home value, increased commission size.

For every action, there's an equal and opposite reaction. In this case, the oil industry may be seen as villains. Rather than seeing them as “the enemy,” as there will always be a need for oil, why come down on people who were trying to sell their product – which has been incredibly useful? In fact, only 250 years ago, many people lived their entire lives in the same town, or traveled only to nearby towns. Today, without being wealthy ...

We can fly and drive globally. My wife and I enjoy long walks in beautiful settings; we've been able to explore all seven continents. Also ...

We've all relied on gas for our cars. Oil producers, whose natural goal is to sell oil, want us to drive as many miles a year as possible. As described in the documentary, "The End of Suburbia." After WWII, they encouraged building the Interstate Highways and suburbs, so we'd drive to the mall, instead of walk to the corner store. Auto-based subdivisions led to sprawl.

Oil production, globally, peaked in 2006. As supplies slowly diminish, prices will likely increase. Also, mileage between refueling needs no longer gives gas cars an edge; some e-cars go over 500 miles without needing a recharge. Without that edge, the transition to e-cars may be faster.

Just as balancing our food intake leads us to better health, balancing our power source will be healthier for our planet and for all of us in it. Recalling stories of one rancher having water but another not, it was a recipe for water war. Zero-sum situations – in which if I win, you lose – demand competition to survive. Zero-sum competitive environments, such as games, are exciting.

There's only one Super Bowl!

However, if team owners compete when they should collaborate, as with TV contracts or labor agreements, the outcome is invariably lose-lose. So, they formed a third party, a league commissioner, an autocrat empowered with their authority and whose sole interest is prosperity for all.

Legislators must be competitive to be in office. But this is a non-zero-sum situation needing positive outcomes for everyone. So, regardless of political party, gender, or race, or age, we need legislation that enables a shift to conservation zones with pedestrian cross-paths. This legislation can then spread, like consumer pressure, to all developers, (who already live by codes,) and can do what organic foods have done for our dietary health.

In terms of Sustainable living, as we transition our homes to more reliable, less expensive, and cleaner solar power we'll enjoy a healthier environment. As we transition to e-cars, we eliminate emissions causing increasingly destructive climate change events. And as we transition from auto-based subdivisions to subdivisions aimed at maximizing the physical and social quality of life for its residents, with conservation zones and pedestrian cross-paths, we'll then achieve a ...

**Better and more sustainable quality-of-life experience for all.**

## Moldovan, Florin (DHCD)

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**From:** Sawyer, Chase (DHCD)  
**Sent:** Monday, August 25, 2025 4:27 PM  
**To:** Brown, Jeff (DHCD); Moldovan, Florin (DHCD)  
**Subject:** FW: comments regarding Review and Update of the Uniform Statewide Building Code (USBC),Action 6731,

FYI.

-Chase

**Chase Sawyer**  
804-310-5872  
chase.sawyer@dhcd.virginia.gov

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**From:** Sawyer, Chase (DHCD) <Chase.Sawyer@dhcd.virginia.gov>  
**Sent:** Monday, August 25, 2025 4:26 PM  
**To:** Al Pollard Sr. <alpollard@va.metrocast.net>  
**Subject:** RE: comments regarding Review and Update of the Uniform Statewide Building Code (USBC),Action 6731,

Mr. Pollard,

Thank you for reaching out to provide your comments regarding the Uniform Statewide Building Code (USBC). This email is to confirm receipt. Your comments will be provided to the Board of Housing and Community Development.

Sincerely,

Chase Sawyer

**Chase Sawyer**  
Policy and Legislative Services Manager  
Virginia Department of Housing and Community Development  
804-310-5872 | chase.sawyer@dhcd.virginia.gov

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**From:** Al Pollard Sr. <alpollard@va.metrocast.net>  
**Sent:** Saturday, August 23, 2025 11:25 AM  
**To:** Sawyer, Chase (DHCD) <Chase.Sawyer@dhcd.virginia.gov>  
**Subject:** comments regarding Review and Update of the Uniform Statewide Building Code (USBC),Action 6731,

Please let me know that my comments have been received, thank you.

Mr. Chase Sawyer  
Main Street Center  
600 East Main Street, Suite 300  
Richmond, VA 23219

Subject: Update of the Uniform Statewide Building Code (USBC)

August 23, 2025

Dear Mr. Sawyer,

I am please that Virginia makes available the ICC in a form that can be copied and printed. The ICC makes the code available however the ICC has made the code in a read only format. It cannot be copied, except by screen shot. The ICC does every thing it can to make the consumer buy a subscription. They do the minimum so they can say they have have made the law available.

I have two points to be considered

**ONE**

Chapter 3 R301.2 Table R301.2 instructions state “The jurisdiction shall fill in this section of the table to establish the design criteria using Table 10A from ACCA Manual J or established criteria determined by the jurisdiction.”

Recommendation – Make Manual J available to the public.

Reason – Manual J is required by law but has not been available to the public in the past.

**TWO**

Virginia states at the beginning of the residential code “ALL RIGHTS RESERVED. This 2021 Virginia Residential Code contains substantial copyrighted material from the 2021 International Residential Code®, second printing, which is a copyrighted work owned by the International Code Council, Inc. (“ICC”)....”

Recommendation - A clearer statement would be “Although the referenced code contains substantial copyrighted material the code material made available through this site is not copyrighted and the consumer is free to copy and distribute it. The code is the law in Virginia and it cannot be copyrighted.” or something similar.

Reason - To claim copyright is very intimidating.

Respectfully,

Albert Pollard Sr,  
132 Lancaster Drive, unit 407  
Irvington VA 22480



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Morgan Marrow Co.

**Patrick J. Dean**  
President  
ABC Virginia Chapter

April 14, 2026

Mr. Louie Berbert, Chair  
Board of Housing and Community Development  
600 East Main St., Suite 300  
Richmond, VA 23219

Re: Support for Proposed Modifications to VCC Section 918  
In-Building Emergency Communications Coverage

Dear Chair Berbert and Board Members:

I am writing on behalf of Associated Builders & Contractors, Virginia Chapter to express support of either of the proposed options to modify Section 918 of the 2024 Virginia Construction Code, included herein as Exhibit A and B, respectively.

ABC VA is the largest contractor trade association in the Commonwealth representing general contractors, subcontractors and suppliers. We believe industry must work with our government agencies to ensure public safety while adopting new and revising current practices that will enhance safety and bring value to the owners.

These proposed changes reflect a forward-thinking approach to emergency communications infrastructure in new buildings and structures. Wireless systems offer distinct advantages over traditional hardwired fire department communication systems, including broader and more reliable coverage, reduced installation and maintenance costs, and greater adaptability to modern building designs. The revisions maintain the option for hardwired systems while introducing a viable alternative that aligns with current technology and emergency response needs. By clearly defining responsibilities for installation, inspection, and maintenance, the proposed code ensures accountability and system integrity without placing undue burden on localities or building owners. These updates will enhance public safety, support innovation in building design, and provide meaningful cost savings to developers and owners across Virginia.

We commend the proponents for their thoughtful and practical approach to improving emergency communications coverage. These changes will enhance public safety and provide meaningful cost savings to developers and owners across the Commonwealth.

ABC Virginia urges the adoption of these modifications to Section 918. Thank you for your continued commitment to improving Virginia's building codes.

Respectfully,

Patrick J. Dean  
President, ABC Virginia