

**Virginia Fire Services Board and Board of Housing and Community Development
STATEWIDE FIRE PREVENTION CODE DEVELOPMENT COMMITTEE
2015 CODE CHANGE CYCLE – BOOK 5 – PART 1
September 18, 2017**

Opening Statement

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C-119.7 cdpVA-15

Proponent : Richard Witt, Representing Rick Witt (wittr@chesterfield.gov)

2012 Virginia Construction Code

119.7 Hearings and decision.

All hearings before the LBBCA shall be open meetings and the appellant, the appellant's representative, the locality's representative and any person whose interests are affected by the building official's decision in question shall be given an opportunity to be heard. The chairman shall have the power and duty to direct the hearing, rule upon the acceptance of evidence and oversee the record of all proceedings. The LBBCA shall have the power to uphold, reverse or modify the decision of the official by a concurring vote of a majority of those present. Decisions of the LBBCA shall be final if no further appeal is made. The decision of the LBBCA shall be ~~by resolution~~ explained in writing, signed by the chairman and retained as part of the record of the appeal. Copies of the ~~resolution~~ written decision shall be sent to all parties by certified mail. In addition, the ~~resolution~~ written decision shall contain the following wording:

"Any person who was a party to the appeal may appeal to the State Review Board by submitting an application to such Board within 21 calendar days upon receipt by certified mail of this resolution. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, Virginia 23219, (804) 371-7150."

2012 Virginia Maintenance Code

106.7 Hearings and decision.

All hearings before the LBBCA shall be open meetings and the appellant, the appellant's representative, the locality's representative and any person whose interests are affected by the code official's decision in question shall be given an opportunity to be heard. The chairman shall have the power and duty to direct the hearing, rule upon the acceptance of evidence and oversee the record of all proceedings. The LBBCA shall have the power to uphold, reverse or modify the decision of the official by a concurring vote of a majority of those present. Decisions of the LBBCA shall be final if no further appeal is made. The decision of the LBBCA shall be ~~by resolution~~ explained in writing, signed by the chairman and retained as part of the record of the appeal. Copies of the ~~resolution~~ written decision shall be sent to all parties by certified mail. In addition, the ~~resolution~~ written decision shall contain the following wording:

"Any person who was a party to the appeal may appeal to the State Review Board by submitting an application to such Board within 21 calendar days upon receipt by certified mail of ~~this resolution~~ the written decision. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, Virginia 23219, (804) 371-7150."

2012 Virginia Statewide Fire Prevention Code

112.8.1 Resolution.

The BFPCA's decision shall be ~~by resolution~~ explained in writing, signed by the chairman and retained as part of the record by the BFPCA. The following wording shall be part of the ~~resolution~~ written decision: "Any person who was a party to the appeal may

appeal to the State Building Code Technical Review Board (TRB) by submitting an application to the TRB within 21 calendar days upon receipt by certified mail of ~~this resolution~~ the written decision. Application forms are available from the Office of the TRB, 600 East Main Street, Richmond, Virginia 23219, (804) 371-7150." Copies of the ~~resolution~~ written decision shall be furnished to all parties.

112.9.1 Information to be submitted.

Copies of the fire official's decision and ~~the resolution~~ written decision of the BFPCA shall be submitted with the application for appeal. Upon request by the office of the TRB, the BFPCA shall submit a copy of all inspection reports and all pertinent information from the record of the BFPCA.

Reason: This change is intended to clarify that the decision of the LBCCA is not restricted to a formal format of a resolution and that a letter would be sufficient.

Cost Impact: This change may save costs by reducing the amount of administrative time needed to document the decision of the LBCCA

Public Comments (0)

Workgroup Recommendation

Workgroup 1 Recommendation Recommendation: Consensus for Approval

Workgroup 1 Reason: Combined workgroup 1, 2, 3, & 4 meeting

Shaun Pharr asked if Rick would entertain adding, shall be explained in writing.

Rick Witt stated that would be fine.

Ed Rhodes suggested there was a grammatical change on page 16. Should be decision instead of resolution.

Rick Witt said ok.

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

C-119.7 cdpVA-15

CB-202(2) cdpVA-15

Proponent : Kenney Payne, Representing AIA-VA
(kpayne@moseleyarchitects.com)

2012 Virginia Construction Code

SECTION 202 DEFINITIONS

~~202 CHANGE OF OCCUPANCY.~~

~~A change in the use or occupancy of any building or structure that would place the building or structure in a different division of the same group of occupancies or in a different group of occupancies; or a change in the purpose or level of activity within a building or structure that involves a change in application of the requirements of this code.~~

2012 Virginia Rehabilitation Code

SECTION 202 DEFINITIONS

~~202 CHANGE OF OCCUPANCY.~~

~~A change in the purpose or level of activity within a building that involves a change in application of the requirements of this code.~~

2012 Virginia Statewide Fire Prevention Code

~~102.1.1 Changes~~**Change of occupancy.**

~~No *change of occupancy* shall be made in the use any building or occupancy of any structure that would place the structure in a different division of the same group of occupancies, unless such building or structure is made to comply with the requirements of this code and the USBC as determined by the USBC building official.~~

SECTION 202 DEFINITIONS

[EB] CHANGE OF OCCUPANCY.

~~Either of the following shall be considered a change of occupancy where the current VCC requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than that which is existing in the current building or structure:~~

- ~~1. Any change in the occupancy classification of a building or structure.~~
- ~~2. Any change in the purpose of, or change in the level of activity within, a building or structure.~~

NOTE: ~~The use and occupancy classification of a building that involves a change or structure shall be determined in application~~ accordance with Chapter 3 of the requirements of this code VCC.

2015 International Building Code

SECTION 202 DEFINITIONS

[A] CHANGE OF OCCUPANCY.

~~A change in the purpose or level of activity within a building that involves a change in application~~

~~See Section 202 of the requirements of this code~~VEBC.

2015 International Existing Building Code

SECTION 202 DEFINITIONS

CHANGE OF OCCUPANCY.

~~A~~

Either of the following shall be considered a change of occupancy where the current USBC requires a greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation than that which is existing in the current building or structure:

1. Any change in the use of the building or a portion~~occupancy classification~~ of a building or structure.

2. A~~Any change in the purpose of occupancy shall include any, or change in the level of occupancy classification activity within, any change from one group to another group within a building or structure.~~

NOTE: The use and occupancy classification of a building or any change~~structure shall be determined in use within a group for a specific occupancy classification accordance with Chapter 3 of the VCC.~~

Reason: As currently written, there were so many different definitions and applications of a change of occupancy, it was very confusing and could possibly be interpreted as having conflicting provisions.

This code change proposal starts with the 2012 VCC 103.3 "definition" (concerning the "greater degree" of the listed six elements) and attempts to provide a consistent definition for a change of occupancy. It also deletes the definition of *change of occupancy* in the VCC/IBC (which are "new" building-related) and provides a "pointer" to the VEBC and SFPC which is where "existing" building-related definitions should be included. So, rather than duplicate definitions that are more VEBC-centric in the VCC, adding a "See" simplifies things and avoids duplicating definitions and having to confirm they say the same thing for each code cycle.

The definition is being duplicated in the SFPC because fire officials typically do not carry around the VCC/IBC or VEBC/IEBC.

The "NOTE" language is similar to that used in 2015 IEBC 302.5.

Cost Impact: None.

Public Comments (0)

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Approval

Workgroup 2 Reason: Combined workgroup 1, 2, 3, & 4

Robby Dawson noted there may be a question to the verbiage regarding the IBC reference.

Vernon Hodge said we can do either. We can use VCC throughout to pick up all state amendments.

Move forward as consensus with changes to make references to IBC to the VCC and IEBC to the VEBC and add "or any change in use within a group for a specific occupancy classification" to all the definitions.

Workgroup 1 Recommendation Recommendation: Consensus for Approval

Workgroup 1 Reason: Combined workgroup 1, 2, 3, & 4

Robby Dawson noted there may be a question to the verbiage regarding the IBC reference.

Vernon Hodge said we can do either. We can use VCC throughout to pick up all state amendments.

Move forward as consensus with changes to make references to IBC to the VCC and IEBC to the VEBC and add "or any change in use within a group for a specific occupancy classification" to all the definitions.

Board Decision

None

Board Decisions

- ☐ Approved
- ☐ Approved with Modifications
- ☐ Carryover
- ☐ Disapproved
- ☐ None

CB-202(2) cdpVA-15

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F-107.2(1) cdpVA-15

Proponent : James Dawson, Representing The Virginia Fire Services Board (dawsonj@chesterfield.gov); Glenn Dean (gad.pompier@gmail.com)

2012 Virginia Statewide Fire Prevention Code

TABLE 107.2
—continued OPERATIONAL PERMIT REQUIREMENTS (to be filled in by local jurisdiction)

DESCRIPTION	PERMIT REQUIRED (yes or no)	PERMIT FEE	INSPECTION FEE
Dry cleaning plants. An operational permit is required to engage in the business of dry cleaning or to change to a more hazardous cleaning solvent used in existing dry cleaning equipment.			
Exhibits and trade shows. An operational permit is required to operate exhibits and trade shows.			
Explosives, fireworks and pyrotechnics. An operational permit is required for the manufacture, storage, handling, sale or use of any quantity of explosive, explosive materials, fireworks, pyrotechnic special effects, or pyrotechnic special effects material within the scope of Chapter 56.			
Exception: Storage in Group R-3 or R-5 occupancies of smokeless propellant, black powder and small arms primers for personal use, not for resale and in accordance with the quantity limitations and conditions set forth in Section 5601.1, exception numbers four and twelve.			
Fire hydrants and valves. An operational permit is required to use or operate fire hydrants or valves intended for fire suppression purposes that are installed on water systems and accessible to a fire apparatus access road that is open to or generally used by the public.			
Exception: An operational permit is not required for authorized employees of the water company that supplies the system or the fire department to use or operate fire hydrants or valves.			
Flammable and combustible liquids. An operational permit is required:			
1. To use or operate a pipeline for the transportation within facilities of flammable or combustible liquids. This requirement shall not apply to the offsite transportation in pipelines regulated by the Department of Transportation (DOTn) nor does it			

apply to piping systems.			
2. To store, handle or use Class I liquids in excess of 5 gallons(19 L) in a building or in excess of 10 gallons (37.9 L) outside of a building, except that a permit is not required for the following:			
2.1. The storage or use of Class I liquids in the fuel tank of a motor vehicle, aircraft, motorboat, mobile power plant or mobile heating plant, unless such storage, in the opinion of the fire official, would cause an unsafe condition.			
2.2. The storage or use of paints, oils, varnishes or similar flammable mixtures when such liquids are stored for maintenance, painting or similar purposes for a period of not more than 30 days.			
3. To store, handle or use Class II or Class IIIA liquids in excess of 25 gallons (95 L) in a building or in excess of 60 gallons (227 L) outside a building, except for fuel oil used in connection with oil-burning equipment.			
4. To remove Class I or Class II liquids from an underground storage tank used for fueling motor vehicles by any means other than the approved, stationary on-site pumps normally used for dispensing purposes.			
5. To operate tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and combustible liquids are produced, processed, transported, stored, dispensed or used.			
6. To install, alter, remove, abandon, place temporarily out of service (for more than 90 days) or otherwise dispose of an underground, protected above-ground or above-ground flammable or combustible liquid tank.			
7. To change the type of contents stored in a flammable or combustible liquid tank to a material that poses a greater hazard than that for which the tank was designed and constructed.			
8. To manufacture, process, blend or refine flammable or combustible liquids.			
Floor finishing. An operational permit is required for floor finishing or surfacing operations exceeding 350 square feet (33 m ²) using Class I or Class II liquids.			
Fruit and crop ripening. An operational permit is required to operate a fruit- or crop-ripening facility or conduct a fruit-ripening process using ethylene gas.			
Fumigation and thermal insecticidal fogging. An operational permit is required to operate a business of fumigation or thermal insecticidal fogging and to maintain a room, vault or chamber in which a toxic or flammable fumigant is used.			

<u>Explosives, Restricted Manufacture. An operational permit is required for the restricted manufacture of explosives within the scope of Chapter 56.</u>			
<u>Explosives, Unrestricted Manufacture. An operational permit is required for the unrestricted manufacture of explosives within the scope of Chapter 56.</u>			

107.11 State Fire Marshal's office permit fees for explosives, blasting agents, theatrical flame effects, and fireworks.

Except as modified herein, applications for firework or pyrotechnic displays shall be submitted to and received by the State Fire Marshal's office not less than 15 days prior to the planned event. State Fire Marshal's Office permit fees shall be as follows:

1. \$150 per year per magazine to store explosives and blasting agents.
2. \$250 per year per city or county to use explosives and blasting agents.
3. \$200 per year to sell explosives and blasting agents.
4. ~~\$250 per year to manufacture explosives, blasting agents and fireworks for Unrestricted Explosive Manufacture.~~
5. ~~\$100 per nonrenewable permit, valid year for one week from the date of issuance, for the use of explosives in special operations or emergency conditions. Restricted Explosives Manufacture.~~
6. \$350 the first day of fireworks, pyrotechnics or proximate audience displays conducted in any state-owned building and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than 15 days prior to the planned event, the permit fee shall be \$550 the first day and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than seven days prior to the planned event, the permit fee shall be \$650 the first day and \$150 per day for each consecutive day for identical multi-day events.
7. \$250 the first day of fireworks, pyrotechnics or proximate audience displays conducted out-of-doors on any state-owned property and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than 15 days prior to the planned event, the permit fee shall be \$550 the first day and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than seven days prior to the planned event, the permit fee shall be \$650 the first day and \$150 per day for each consecutive day for identical multi-day events.
8. ~~\$100 per nonrenewable permit, valid for one week from the date of issuance, for the use of explosives in special operations or emergency conditions.~~
9. \$300 the first day for flame effects conducted in accordance with Section 308.3.2 indoors of any state-owned building or outdoors on state-owned property and \$200 per day for each consecutive day for identical multi-day events, or, if conducted as part of a firework (pyrotechnic) display, \$150 the first day and \$125 per day for each consecutive day for identical multi-day events. If an application for flame effects is received by the State Fire Marshal's office less than 15 days prior to the planned event, the permit fee shall be \$550 the first day and \$200 per day for each consecutive day for

identical multi-day events or, if conducted as part of a firework (pyrotechnic) display, \$200 the first day and \$100 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than 7 days prior to the planned event, the permit fee shall be \$650 the first day and \$150 per day for each consecutive day for identical multi-day events or, if conducted as part of a firework (pyrotechnic) display, \$300 the first day and \$125 per day for each consecutive day for identical multi-day events.

- **Exception:** Permits shall not be required for the storage of explosives or blasting agents by the Virginia Department of State Police provided notification to the State Fire Marshal is made annually by the Chief Arson Investigator listing all storage locations within areas where enforcement is provided by the State Fire Marshal's office.

CHAPTER 2 DEFINITIONS

EXPLOSIVE.

A chemical compound, mixture or device, the primary or common purpose of which is to function by explosion. The term includes, but is not limited to, dynamite, black powder, pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cord, igniter cord, igniters and display fireworks, 1.3G.

The term "Explosive" includes any material determined to be within the scope of USC Title 18: Chapter 40 and also includes any material classified as an explosive other than consumer fireworks, 1.4G by the hazardous materials regulations of DOTn 49 CFR Parts 100-185.

SECTION 202 DEFINITIONS

High explosive.

Explosivematerial, such as dynamite, which can be caused to detonate by means of a No. 8 test blasting cap when unconfined.

SECTION 202 DEFINITIONS

Low explosive.

Explosivematerial that will burn or deflagrate when ignited. It is characterized by a rate of reaction that is less than the speed of sound. Examples of low *explosives* include, but are not limited to, black powder, safety fuse, igniters, igniter cord, fuse lighters, fireworks, 1.3G and propellants, 1.3C.

Explosive manufacturing. Mixing, blending, extruding, assembling articles, disassembling, chemical synthesis, and other functions involved in making a product or device that is intended to explode.

Reactive (exploding) targets. A target designator intended to be shot at with a firearm and is purchased or obtained through a commercial or retail outlet, is comprised of two or more components in pre-sized quantities of 1 pound (0.453592 kg) or less that are advertised and sold together with instructions on how to combine the components or create a target that explodes upon impact.

Restricted Explosives Manufacturing. An individual engaged in the incidental

manufacture or production of explosive materials, composed of commercially available components that are packaged or marketed for the purpose of producing explosive materials, including reactive targets, at a location not within the definition of unrestricted explosives manufacture, is for immediate use at the site of incidental explosives manufacturing or production without residual storage, and does not involve or include the bulk mixing and delivery vehicles that are within the scope of NFPA 495.

Unrestricted Explosives Manufacturing. Any company, person or group of persons engaged in the business of manufacturing or producing explosive materials at a fixed site or facility for the purpose of commercial sale, use or distribution of explosives.

5605.1 General.

The restricted and unrestricted manufacture, assembly and testing of explosives, ammunition, blasting agents and fireworks shall comply with the requirements of this section, Title 59.1, Chapter 11 of the Code of Virginia, and NFPA 495, NFPA 1124 or NFPA 11241126.

- **Exceptions:**

1. The hand loading of small arms ammunition prepared for personal use and not offered for resale.
2. The mixing and loading of blasting agents at blasting sites in accordance with NFPA 495.

5605.1.1 Permits.

Permits for the restricted and unrestricted explosives manufacture, assembly and testing of explosives, ammunition, blasting agents and fireworks shall be required as set forth in Section 107.2 and regulated in accordance with this section. A permit ~~to manufacture~~ for unrestricted explosives manufacturing of any explosive material in any quantity shall be prohibited unless such manufacture is authorized by a federal license and conducted in accordance with recognized safety practices. All restricted explosives manufacturing shall comply with the instructions provided by the supplier of the components used in the manufacture of the explosive material.

Exceptions:

1. Any recreational use of reactive targets is not required to obtain a permit for restricted explosives manufacture or explosives use when such manufacture and use complies with all of the following:
 - a. The manufacture and use is limited to one (1) pound or less per unit on private property with the permission of the property owner and used no closer than 500 feet from a roadway or structure,
 - b. The manufacture of the reactive target complies with the instructions provided by the producer of the components used in the manufacture,
 - c. The reactive target manufactured is for immediate use without any residual storage or transportation, and
 - d. The exploding or use of the target is in conformance with its intended purpose by the

manufacturer of the reactive target, and does not involve the deliberate destruction of any property, vehicle, structure or animal life.

2. The owner of real estate parcels of five or more acres conforming to the definition of "real estate devoted to agricultural use" or "real estate devoted to horticultural use" in Section 58.1-3230 of the Code of Virginia is not required to obtain a permit for restricted explosives manufacture when such manufacture complies with all of the following:

- a. Is conducted by the owner of such real estate,
- b. The manufacture of the explosives complies with the instructions provided by the producer of the components used in the manufacture,
- c. The explosive used does not include reactive targets,
- d. The reactive target manufactured is for immediate use without any residual storage or transportation, and
- e. A permit to use explosives has been obtained in accordance with Section 107.2.

3. An applicant that is performing non-personal, business work is not required to obtain a permit for restricted explosives manufacture when such manufacture complies with all of the following:

- a. The applicant's certified Blaster who manufactures the explosives complies with the instructions provided by the producer of the components used in the manufacture,
- b. The explosive used does not include the use of reactive targets,
- c. The explosive material manufactured is for immediate use without any residual storage or transportation, and
- d. A permit to use explosives has been obtained in accordance with Section 107.2.

Reason: The 2015 Session of the Virginia General Assembly saw two proposed bills dealing with the prohibition or regulation of exploding or reactive targets. Those bills were laid on the table at the time with the intention of addressing the issue through the normal SFPC development process. In subsequent meetings, the legislators agreed to not pursue further legislation provided the concepts addressed by this code change were approved.

The Virginia Fire Services Board, working with stakeholders including reaching out to shooting sports enthusiasts and retailers, developed this proposal as a reasonable regulatory process to address the threats and risks associated with the use of these chemical compounds.

This proposal is submitted on behalf of the Virginia Fire Services Board.

The Code of Virginia (§ 27-97) provides direction for manufacturers of explosives to provide information on their manufacturing operation. This change reflects some evolution on the manufacture of explosives that have existed for some time but never fully acted upon. Recent events and inquiries on explosive manufacturing have necessitated the need to visit the subject in a more comprehensive fashion with particular attention being given to explosives manufactured or produced at the time and at the site of their intended use.

This change proposes definitions created to differentiate between two conditions for the manufacture of explosives:

The unrestricted category is for the fixed site, fixed facility condition where the amount of explosives manufactured annually is usually measured in pounds or tons.

The restricted category is intended to include any mixing or manufacturing operation that produces a smaller quantity of explosive material, usually in the one or two pounds range, is for immediate use, does not include or involve the storage of the manufactured explosive, and excludes mobile operations that are conducted on a vehicle that is specifically designed and constructed for the purpose (See NFPA 495-10, Chapters 5, 6 and 7). A key phrase in the proposed definition is "commercially available components" which does **not** include or permit the manufacture of explosives through a *cookbook* type of manufacturing operation. To manufacture explosives contrary to this definition in the SFPC could be prosecuted as a criminal violation of §

18.2-85 of the Code of Virginia and subject to arrest by any law enforcement officer.

In order to obtain a permit for either level of manufacture, the applicant would have to meet the requirements of a "designated individual". Three exceptions are provided as follows:

1. The individual that mixes commercially available and advertised components that produces a "reactive target" that becomes, by definition, a blasting agent. The user of reactive targets would be limited to manufacturing targets not greater than one pound per unit. The use of such targets would be confined to private property with the property owner's permission.
2. Exception 2 (specifically 2c) effectively continues the current scheme – meaning no changes – for farmers. Presently, in state enforced areas, a farmer must get a permit to use explosives which will cost a total of \$437.00 (\$250 for 1-year permit to use plus \$187 for 3-year BCC.) A farmer is not required to be certified as a Blaster nor is required to produce proof of insurance. At minimum, a BCC is needed to comply with § 27-97.2 of the COV for the required national criminal history records check.
3. Exception 3 (specifically 3d) effectively continues the current scheme for all applicants and/or certified Blasters who use products such as Kinepak™, Kinepouch™ or Kenistik™. These products are binary components that are mixed to create a blasting agent (explosive) on the site of its intended use much like reactive targets. These products are designed and intended to be initiated through the use of detonators (blasting caps). Presently, in state enforced areas, an applicant must get a permit to use explosives which will cost \$250.00. Under such permit a certified Blaster must be present for the loading and firing of the explosives. Each authorized Blaster represents an individual or personal investment of \$187 for a 3-year certification which includes the national criminal history records check in order to comply with § 27-97.2 of the COV. In other words, those persons already certified as a Blaster meet the requirements of a "designated individual" and are mixing binary components under a permit to USE explosives. Examples are (1) a utility company employee who is a certified blaster, uses a product known as Kinepak™ in the preparation for setting a utility pole and (2) the employee of a cemetery breaking rock for an interment site.

Verbal support for this concept has been expressed by the Institute of Manufacturers of Explosives (IME).

The deletion of Exception #3 in Section 5605.1 is to correct an error that has existed since before the final IFC draft in July 1998. None of the legacy codes had such an exception and in researching the question with ICC staff, it is not known where or from whom this exception originated nor is there any explanatory material on file to support the exception's existence.

Reading the exception in its present form does not make sense if you were to ask the question, does this mean that if the explosives were manufactured on-site, their use is exempt?

Remembering this exception is under the manufacturing section of the code, it would make more sense if the exception were to read, "the use of mixing of binary explosives or phosphoric materials in blasting or pyrotechnic special effects applications in accordance with NFPA 495 or NFPA 1126." If that were to make more sense, then it would be partly redundant to exception #2 on explosive materials.

NFPA 1126, Chapter 7 addresses the "manufacture" of pyrotechnics used in proximity to an audience and while it is a short chapter, the provisions established included, product identification, the manufacturer's description of use and hazards, its intended use, premeasured and packaged components, etc. Therefore the reference to NFPA 1126 should be relocated to the charging section as an addition to NFPA 1124, the standard for the manufacture of fireworks.

Cost Impact: There are no cost impacts associated with this proposal.

Public Comments (0)

Workgroup Recommendation

Workgroup 1 Recommendation Recommendation: Consensus for Approval

Workgroup 1 Reason: Combined workgroup meeting 1, 2, 3, and 4

Workgroup 2 Recommendation Recommendation: Consensus for Approval

Workgroup 2 Reason: Combined workgroup meeting 1, 2, 3, and 4

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-107.2(1) cdpVA-15

F-107.2(2) cdpVA-15

Proponent : James Dawson (dawsonj@chesterfield.gov); Glenn Dean (glenn.dean@vdfp.virginia.gov); Glenn Dean (gad.pompier@gmail.com)

2012 Virginia Statewide Fire Prevention Code

TABLE 107.2
—continued OPERATIONAL PERMIT REQUIREMENTS (to be filled in by local jurisdiction)

DESCRIPTION	PERMIT REQUIRED (yes or no)	PERMIT FEE	INSPECTION FEE																		
PERMIT AMOUNTS FOR HAZARDOUS MATERIALS <table><tr><th>TYPE OF MATERIAL</th><th>AMOUNT</th></tr><tr><td>Water reactive materials</td><td></td></tr><tr><td>Class 3</td><td>Any amount</td></tr><tr><td>Class 2</td><td>5 gallons</td></tr><tr><td>Class 1</td><td>55 gallons</td></tr><tr><td>Solids</td><td></td></tr><tr><td>Class 3</td><td>Any amount</td></tr><tr><td>Class 2</td><td>50 gallons</td></tr><tr><td>Class 1</td><td>500 gallons</td></tr></table> <p>For SI: 1 gallon = 3.785 L, 1 pound = 0.454 kg.</p> <p>a. Twenty gallons when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 20 gallons or less</p> <p>b. Twenty pounds when Table 5003.1.1(1) Note k applies and hazard identification signs in accordance with Section 5003.5 are provided for quantities of 200 pounds or less</p>	TYPE OF MATERIAL	AMOUNT	Water reactive materials		Class 3	Any amount	Class 2	5 gallons	Class 1	55 gallons	Solids		Class 3	Any amount	Class 2	50 gallons	Class 1	500 gallons			
TYPE OF MATERIAL	AMOUNT																				
Water reactive materials																					
Class 3	Any amount																				
Class 2	5 gallons																				
Class 1	55 gallons																				
Solids																					
Class 3	Any amount																				
Class 2	50 gallons																				
Class 1	500 gallons																				
HPM facilities. An operational permit is required to store, handle or use hazardous production materials.																					
High piled storage. An operational permit is required to use a building or portion thereof as a high-piled storage area exceeding 500 square feet (46 m ²).																					
Hot work operations. An operational permit is required for hot work including, but not limited to: 1. Public exhibitions and demonstrations where hot work is conducted 2. Use of portable hot work equipment inside a structure. Exception: Work that is conducted under a																					

<p>3. Fixed-site hot work equipment such as welding booths.</p> <p>4. Hot work conducted within a hazardous fire area.</p> <p>5. Application of roof coverings with the use of an open-flame device.</p> <p>6. When approved, the fire official shall issue a permit to carry out a Hot Work Program. This program allows approved personnel to regulate their facility's hot work operations. The approved personnel shall be trained in the fire safety aspects denoted in this chapter and shall be responsible for issuing permits requiring compliance with the requirements found in this chapter. These permits shall be issued only to their employees or hot work operations under their supervision.</p>			
<p>Industrial ovens. An operational permit is required for operation of industrial ovens regulated by Chapter 30.</p>			
<p>Lumber yards and woodworking plants. An operational permit is required for the storage or processing of lumber exceeding 100,000 board feet (8,333 ft³) (236 m³).</p>			
<p>Liquid-fueled or gas-fueled vehicles or equipment in assembly buildings. An operational permit is required to display, operate or demonstrate liquid-fueled or gas-fueled vehicles or equipment in assembly buildings.</p>			
<p>LP-gas. An operational permit is required for.</p> <p>1. Storage and use of LP-gas.</p> <p>Exception: An operational permit is not required for individual containers with a 500-gallon (1893 L) water capacity or less or multiple container systems having an aggregate quantity not exceeding 500 gallons (1893 L), serving occupancies in Group R-3.</p> <p>2. Operation of cargo tankers that transport LP-gas.</p>			
<p>Magnesium. An operational permit is required to melt, cast, heat treat or grind more than 10 pounds (4.54 kg) of magnesium.</p>			
<p>Miscellaneous combustible storage. An operational permit is required to store in any building or upon any premises in excess of 2,500 cubic feet (71 m³) gross volume of combustible empty packing cases, boxes, barrels or similar containers, rubber tires, rubber, cork or similar combustible material.</p>			
<p>Open burning. An operational permit is required for the kindling or maintaining of an open fire or a fire on any public street, alley, road, or other public or private ground. Instructions and stipulations of the permit shall be adhered to.</p>			

Exception: Recreational fires.			
Mobile Food Preparation Vehicles. A permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease laden vapors.			
Exception: Recreational vehicles used for private recreation.			

SECTION 202 DEFINITIONS

GENERAL DEFINITIONS Mobile Food Preparation Vehicles. Vehicles and enclosed trailers able to be occupied by persons during cooking operations that contain cooking equipment that utilize open flames or produce smoke or grease laden vapors for the purpose of preparing and serving food to the public. Vehicles used for private recreation shall not be considered mobile food preparation vehicles.

CHAPTER 3 GENERAL REQUIREMENTS

CHAPTER PART [319]—[Mobile Food Preparation Vehicles]

SECTION[319] [Mobile Food Preparation Vehicles]

319.1 General. Mobile food preparation vehicles that are equipped with appliances that utilize open flames or produce smoke or grease laden vapors shall comply with this section.

319.2 Permit required. Permits shall be required as set forth in Section 107.2.

319.3 Seating. Seating for the public within any mobile food preparation vehicles is prohibited.

319.4 Exhaust hood. Cooking equipment that produces grease laden vapors shall be provided with a kitchen exhaust hood in accordance with NFPA 96, Annex B.

319.5 Fire protection. Fire protection shall be provided in accordance with Section 319.5.1 through 319.5.2.

319.5.1 Fire protection for cooking equipment. Cooking equipment shall be protected by automatic fire extinguishing systems in accordance with Section 904.3.

319.5.2 Fire extinguisher. Portable fire extinguishers shall be provided in accordance with Section 904.12.5.

319.6 Appliance connection to fuel supply. Gas cooking appliances shall be secured in place and connected to fuel supply piping with an appliance connector complying with ANSI Z21.69/CSA 6.16. The connector installation shall be configured in accordance with manufacturer's installation instructions. Movement of appliances shall be limited by restraining devices installed in accordance with the connector and appliance manufacturer's instructions.

319.6.1 Construction and modifications. Following initial construction and any modifications of the fuel system, the system (including hoses) shall be proven free of leaks by performing a pressure test in accordance with NFPA 58 at not less than the normal operating pressure.

319.6.2 Leak detection. Gas systems shall be inspected prior to each use and following fuel tank replacement or refill in one of the following methods:

1. A water/soap solution shall be applied to every accessible connection or connection manipulated during the replacement or fueling and observed for evidence of gas leakage.

2. Pressure testing in accordance with Annex L of NFPA 58.

319.6.3 Leaks. When leaks are discovered during inspections and testing, the fuel supply shall be secured in the "off" position or disconnected from the appliance and the appliance shall not be operated until serviced by a qualified person.

319.7 Cooking oil storage containers. Cooking oil storage containers within mobile food preparation vehicles shall have a minimum aggregate area volume not to exceed 120 gallons (454L), and shall be stored in such a way as to not be toppled or damaged during transport.

319.8 Cooking oil storage tanks. Cooking oil storage tanks within mobile food preparation vehicles shall comply with Section 319.8.1 through 319.8.5.

319.8.1 Metallic storage tanks. Metallic cooking oil storage tanks shall be listed in accordance with UL 142 or UL 80, and shall be installed in accordance with the tank manufacturer's instructions.

319.8.2 Nonmetallic tanks. Nonmetallic cooking oil storage tanks shall be installed in accordance with the tank manufacturer's instructions and shall also comply with all of the following:

1. Tanks shall be listed for use with cooking oil, including maximum temperature to which the tanks will be exposed to during use.

2. Tank capacity shall not exceed 200 gallons (757L) per tank.

319.8.3 Cooking oil storage system components. Metallic and nonmetallic cooking oil storage system components shall include but are not limited to piping, connections, fittings, valves, tubing, hose, pumps, vents and other related components used for the transfer of cooking oil.

319.8.4 Design criteria. The design, fabrication and assembly of system components shall be suitable for the working pressures, temperatures and structural stresses to be encountered by the components.

319.8.5 Tank venting. Normal and emergency venting shall be provided for cooking oil storage tanks.

319.8.5.1 Normal vents. Normal vents shall be located above the maximum normal liquid line, and shall have a minimum effective area not smaller than the largest filling or withdrawal connection. Normal vents are not required to vent to the exterior.

319.8.5.2 Emergency vents. Emergency relief vents shall be located above the maximum normal liquid line, and shall be in the form of a device or devices that will

relieve excessive internal pressure caused by an exposure fire. For nonmetallic tanks, the emergency relief vent shall be allowed to be in the form of construction. Emergency vents are not required to discharge to the exterior.

319.9 LP-gas systems. Where LP- gas systems provide fuel for cooking appliances, such systems shall comply with NFPA 58, Chapter 61 and Sections 319.9.1 through 319.9.5.

319.9.1 Maximum aggregate volume. The maximum aggregate capacity of LP-gas containers transported on the vehicle and used to fuel cooking appliances only shall not exceed 200 pounds propane capacity.

319.9.2 Protection of container. LP-gas containers installed on the vehicle shall be securely mounted and restrained to prevent movement.

319.9.3 LP-gas container construction. LP-gas containers shall be manufactured in compliance with the requirements of NPFA 58.

319.9.4 Protection of system piping. LP-gas system piping, including valves and fittings, shall be adequately protected to prevent tampering, impact damage, and damage from vibration.

319.9.5 LP-gas alarms. A listed LP-gas alarm shall be installed with the vehicle in the vicinity of LP-gas system components, in accordance with manufacturer's instructions.

319.10 CNG systems. Where CNG systems provide fuel for cooking appliances, such systems shall comply with Sections 319.10.1 through 319.10.4.

319.10.1 CNG containers supplying only cooking fuel. CNG containers installed solely to provide fuel for cooking purposes shall be in accordance with Section 319.10.1.1 through 319.10.1.3.

319.10.1.1 Maximum aggregate volume. The maximum aggregate capacity of CNG containers transported on the vehicle shall not exceed 1,300 pounds water capacity.

319.10.1.2 Protection of container. CNG containers shall be securely mounted and restrained to prevent movement. Containers shall not be installed in locations subject to direct vehicle impact.

319.10.1.3 CNG container construction. The construction of CNG containers shall be approved.

319.10.2 CNG containers supplying transportation and cooking fuel. Where CNG containers and systems are used to supply fuel for cooking purposes in addition to being used for transportation fuel, the installation shall be in accordance with NFPA 52.

319.10.3 Protection of system piping. CNG system piping, including valves and fittings, shall be adequately protected to prevent tampering, impact damage, and damage from vibration.

319.10.4 Methane alarms. A listed methane gas alarm shall be installed within the vehicle in accordance with manufacturer's instructions.

319.11 Maintenance. Maintenance of systems on mobile food preparation vehicles shall be in accordance with Sections 319.11.1 through 319.11.3.

319.11.1 Exhaust system. The exhaust system, including hood, grease-removal devices, fans, ducts and other appurtenances, shall be inspected and cleaned in accordance with Chapter 6.

319.11.2 Fire protection systems and devices. Fire protection systems and devices shall be maintained in accordance with Chapter 9.

319.11.3 Fuel-gas systems. LP-gas containers installed on the vehicle and fuel-gas piping systems shall be inspected annually by an *approved* inspection agency or a company that is registered with the U.S. Department of Transportation to re-qualify LP-gas cylinders, to ensure that system components are free of damage, suitable for the intended service and not subject to leaking. CNG containers shall be inspected every three years in a qualified service facility. CNG containers shall not be used past their expiration dates listed on the manufacturer's container label. Upon satisfactory inspection, the approved inspection agency shall affix a tag on the fuel-gas system or within the vehicle indicating the name of the inspection agency and the date of satisfactory inspection.

ADD NEW TO STANDARD TO CHAPTER 80:

Standard Reference Number-

NFPA 96-17 Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations

Referenced in Code Section Number: 904.3

2015 International Fire Code

904.2.2 Commercial hood and duct systems. Each required commercial kitchen exhaust hood and duct system required by Section ~~609.319.4~~ for *Mobile Food Preparation Vehicles* to have a Type I hood shall be protected with an *approved* automatic fire-extinguishing system installed in accordance with this code.

904.3 Installation. Automatic fire-extinguishing systems shall be installed in accordance with ~~this section.~~ Annex B of NFPA 96 when required in *Mobile Food Preparation Vehicles*.

Add new standard(s) as follows: NFPA 96-17 Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations

Referenced in Section 904.3

Reason: Because of an increased use of mobile food preparation vehicles and a commensurate increase in fire incidents involving such vehicles, this proposal was created to address the commercial use of mobile food preparation vehicles. This proposal is preferred over the Emory Rodgers proposal as it incorporates the Public Comment changes submitted and approved to the IFC, and addresses two critical operational issues which have been captured by the NFPA National Model Code.

This proposal focuses on the cooking operation and the fuel systems for cooking appliances. It relies heavily on existing IFC Chapters 6 and 9 for the fire suppression, fire extinguishers, appliance connections and cooking oil storage. Language is added to address LP-gas and CNG which are the most commonly used fuels used in these vehicles. The added language addresses the maximum volume of fuel gas on the vehicle, container construction and size, fuel gas system piping and gas alarms. In addition, the proposal establishes maintenance requirements and maintenance scheduling.

This proposal is identical to F23-16 that was unanimously accepted by the IFC Committee at the recent Louisville hearings with the exception of the seating inside the vehicle prohibition (319.3) and leak detection inspections conducted before operations and when fuel tanks are replaced or refilled (319.6.1; 319.6.2; 319.6.3) Those provision are components of a similar proposal submitted to the NFPA 1 Committee and have been tentatively approved and address operational gaps in the IFC proposal.

REASON STATEMENT UPDATE 4/20/17:

Based on the feedback from the 4/11/17 Workgroup meeting, the following modifications were made to the proposal:

1. The definition of "Mobile Food Preparation Vehicles" was changed to reflect this does not apply to open cookers and smokers similar to drums and barrels that are not enclosed. While these open air cookers pose a similar hazard, the feasibility of installing fire protection and ventilation systems is not possible and beyond the intent of this code change.
2. Section 317.5.1 was modified based on the proposed SFPC "unenforceable re-write" under consideration. The proposed section 904.3 reference (rather than the original 904.12) specifies the NFPA 96 requirements for fire protection systems specific for these types of operations rather than the 904.12 reference that is intended for in-building type fire protection of cooking operations.
3. The addition of the NFPA Standard 96-17 Standard for Ventilation Control and Fire Protection of Commercial Cooking Operations to the Reference Standards Chapter, available at www.nfpa.org/96.

REASON STATEMENT UPDATE 6/27/17

Sections 609.2, 904.2.2, and 904.3 were added to this proposal, and a corresponding modification was made to the Chapter 6 unenforceable provisions change that deletes this section. This is more consistent with the concept of not assuming either proposal will pass the Board.

Cost Impact: This proposal will increase costs by requiring fire protection systems, standards for construction, permit fees and maintenance costs which have been required in the past.

Public Comments (0)

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Approval

Workgroup 2 Reason: Combined workgroup meeting 1, 2, 3, and 4

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-107.2(2) cdpVA-15

F-112.5 cdpVA-15

Proponent : William Andrews, Representing City of Richmond, Fire Marshal's office (william.andrews@richmondgov.com)

2012 Virginia Statewide Fire Prevention Code

112.5 Application for appeal.

The owner of a structure, the owner's agent or any other person involved in the ~~design, construction or~~ maintenance of the structure, or activity, may appeal a decision of the fire official concerning the application of the SFPC or the fire official's refusal to grant modification under Section 106.5 to the provisions of the SFPC. The appeal shall first lie to the local board of fire prevention code appeals (BFPCA) and then to the TRB except that appeals concerning the application of the SFPC or refusal to grant modifications by the State Fire Marshal shall be made directly to the TRB. The appeal shall be submitted to the BFPCA within 14 calendar days of the application of the SFPC. The application shall contain the name and address of the owner of the structure and the person appealing if not the owner. A copy of the written decision of the fire official shall be submitted along with the application for appeal and maintained as part of the record. The application shall be stamped or otherwise marked by the BFPCA to indicate the date received. Failure to submit an application for appeal within the time limit established by this section shall constitute acceptance of the fire official's decision.

Note: In accordance with Section 27-98 of the Code of Virginia, any local fire code may provide for an appeal to a local board of appeals. If no local board of appeals exists, the TRB shall hear appeals of any local fire code violation.

Reason: Since this fire code is not applicable in the design and construction of buildings or structures, should delete such from this section also. Appeals needs to also apply to activities regulated by the fire code. Activities might not involve a building or structure, such as fireworks in an open field or discharge of hazardous material from a vehicle.

Cost Impact: No cost.

Public Comments (1)

By **William Andrews**

06-19-2017 14:09:09

Per June 13 meeting discussion, please un-delete words "design, construction or" since some fire officials involved in design and construction of fire vehicle access roads and hydrants. Main goal to add "activity" as appeal reason.

Workgroup Recommendation

Workgroup 1 Recommendation Recommendation: Consensus for Approval

Workgroup 1 Reason: None

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-112.5 cdpVA-15

F-301.3 cdpVA-15

Proponent : Andrew Milliken (amilliken@staffordcountyva.gov)

2012 Virginia Statewide Fire Prevention Code

301.3 Occupancy.

The occupancy of a structure shall be continued as originally permitted under and in full compliance with the codes in force at the time of construction or alteration. The occupancy of a structure shall not change to another occupancy that will subject the structure to any special provisions of this code or the USBC without the approval of the building official. Where a certificate of occupancy is not available for a building, the owner or owner's agent shall request that one be issued by the Building Official and retained on site for reference.

Reason: An accurate and valid certificate of occupancy is crucial to proper enforcement of the Fire Prevention Code provisions. This proposal adds language to direct an owner or representative to obtain a copy of the certificate of occupancy from the Building Official where it is on available on site for reference.

Cost Impact: None

Public Comments (1)

By **William Andrews**

06-19-2017 15:28:32

Support. Fire official needs ability to view Certificate of Occupancy, thus if none in official records, require customer apply for one. If building official not issue appropriate records due to compliance problems, proper legal action. Although best if on site, June 13 meeting discussion had some opposed to "retained on site" in some situations, so suggest change to provide for official review upon request.

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Approval

Workgroup 2 Reason: None

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

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F-609.3.3.1 cdpVA-15

609.3.3.1 (New), 609.3.3.3.1

Proponent : Joseph Mullens, Representing Rockingham County Fire and Rescue (jmullens@rockinghamcountyva.gov)

2015 International Fire Code

609.3.3.1 Tags When a commercial kitchen hood or duct system is inspected(~~striketrough~~) cleaned, a tag containing the service provider name, address, telephone number, and date of service shall be provided in a conspicuous location. Prior tags shall be covered or removed.

The struck through language of inspected needs to remain and cleaned added so the sentence reads "system is inspected and/or cleaned, a tag containing". By removing the wording of inspected we believe that it will cause confusion among fire inspectors and property owners/occupants to when the last inspection or cleaning took place if records aren't keep on file at the premise properly. There may be a time when a qualified individual inspected the hood or duct work for cleanliness and believed that no cleaning was necessary and they could note this on the tag for the fire inspector to review.

DHCD Staff Note: Based on the proponent's statements, the proposal is intended to modify the 2015 IFC Section 609.3.3.3.1 as follows (note that the state amendment in the SFPC is only the exception):

609.3.3.3.1 Tags. When a commercial kitchen hood or duct system is inspected or cleaned, a tag containing the service provider name, address, telephone number and date of service shall be provided in a conspicuous location. Prior tags shall be covered or removed.

Exception: Where records required by Section 609.3.3.3 are maintained on the premises.

Reason: The reason I am requesting this change is to clear confusion among fire inspectors and property owners and occupants.

Cost Impact: There is no additional cost impact then the already required inspection of the hood or duct system.

Public Comments (3)

By **James Dawson**
03-06-2017 08:27:44

The Fire Services Board Fire Code Committee reviewed this proposal at their meeting on 3/3/17 and remain confused as to what is being changed. We suggest the text be edited

to proper strike through and underlining format for understanding of the change.
The underlined text looks like added code language, but reads like a reason statement.//JRD

By **Joseph Mullens**

03-06-2017 09:51:25

Mr. Dawson,

The system won't let me edit my proposal so I would like to include the changes here.
Below is the current language in the proposed document:

609.3.3.1 Tags When a commercial kitchen hood or duct system is cleaned, a tag containing the service provider name, address, telephone number, and date of service shall be provided in a conspicuous location. Prior tags shall be covered or removed.

I am suggesting to add "inspected and/or" prior to the word "cleaned" so the code section would read:

609.3.3.1 Tags When a commercial kitchen hood or duct system is inspected and/or cleaned, a tag containing the service provider name, address, telephone number, and date of service shall be provided in a conspicuous location. Prior tags shall be covered or removed.

I feel that there will be times a hood or duct system would be inspected and not cleaned and this should be noted by a tag on the system so the business does not receive a notice of violation for not being in compliance with section 609.3.3.1 Inspection and the intervals that are stated in Table 609.3.3.1. These sections don't requiring cleaning but do require inspections which should be noted in the records as either inspected or cleaning.

Please let me know if this helps or you have further questions. Thank you.

Joe Mullens

Rockingham County Fire and Rescue

jmullens@rockinghamcountyva.gov

540-578-1141

By **James Dawson**

03-07-2017 14:28:45

Ahhhh- That makes since now. I couldn't tell what was being stricken or added based on what was printed.

I hope Vernon can add this cleaner (and easier to understand) format into the mix before the meeting next week.

Thanks for the clarification.

JRD

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Approval

Workgroup 2 Reason: Combined workgroup meeting 1, 2, 3, and 4

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-609.3.3.1 cdpVA-15

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F-703.1(2) cdpVA-15

Proponent : James Dawson (dawsonj@chesterfield.gov)

2015 International Fire Code

703.1 Maintenance. The required *fire-resistance rating* of fire-resistance-rated construction, including, but not limited to, walls, firestops, shaft enclosures, partitions, *smoke barriers*, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and fire-resistant joint systems, shall be maintained. Such elements shall be visually inspected by the *owner* annually and properly repaired, restored or replaced where damaged, altered, breached or penetrated. Records of inspections and repairs shall be maintained. Where concealed, such elements shall not be required to be visually inspected by the *owner* unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or similar movable entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer openings and holes made for any reason shall be protected with *approved* methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of *approved* construction meeting the fire protection requirements for the assembly.

Exception: When requested by the building owner and approved by the fire official, the visual inspection required by 703.1 may be modified to a time period of greater than annually based on the history of the previous inspections.

Reason: This proposal is the result of discussions held at the August 7, 2016 WG Meeting and August 17th WG Meeting. In those discussions, it was proposed that annual inspections of some of these fire-resistant features may be excessive when those areas are not occupied or entered for normal service work in the building. This proposal allows a building owner to petition the fire official, based on past history of finding no penetrations or damage to these construction elements, to inspect them on a less than annual basis. This provides the fire official with assurance that they are being inspected, and allows the building owner who properly maintains these elements demonstrate there is a basis for a less than annual inspection schedule.

This proposal should replace the SFPC re-write provisions as proposed, and the proposal from Zach Adams.

This proposal has not been fully vetted with the fire service members.//jrd

Cost Impact: Cost on maintenance inspections may be reduced when the annual inspections can demonstrate effective compliance with the code.

Public Comments (1)

By **James Dawson**
03-06-2017 08:39:06

This proposal was endorsed by the Fire Services Board Code Committee at their meeting on 3/3/17.//JRD

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Approval

Workgroup 2 Reason: 6/13/17 Combined workgroup meeting 1, 2, 3, and 4--approved
4/11/17 Combined workgroup meeting 1, 2, 3, and 4--pending

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-703.1(2) cdpVA-15

F-703.4 cdpVA-15

703.4, 703.2.1 (New)

Proponent : James Dawson (dawsonj@chesterfield.gov)

2015 International Fire Code

~~**703.4 Testing.** Horizontal and vertical sliding and rolling fire doors shall be inspected and tested annually to confirm proper operation and full closure. Records of inspections and testing shall be maintained.~~

703.2.1 Testing Opening protectives shall be inspected and tested annually in accordance with NFPA 80 to confirm proper operation and full closure. A written record shall be maintained and be available to the *fire code official*.

Renumber subsequent sections

Reason: This alternative proposal to Justin Biller's 703.4 proposal simplifies the flow of the SFPC and meets the objective of the original code change. It moves the testing requirements to a position that provides clear intent that the maintenance of opening protectives includes those types of protectives listed in 703.4, and provides the testing and maintenance standard (NFPA 80 specifically Chapter 5 - Inspection, Testing, and Maintenance) for those fire resistance rated protectives.

This proposal deletes the current 703.4 section which has created the confusion and moves the language with the NFPA 80 reference to a more logical location within the construct of the code.

In the workgroup meeting on August 17, 2016, the group felt that these requirements were already addressed in the overhead section 703.2, however the users of the code represented by Mr. Biller were becoming confused due to the two sections and differing terminology. With the feedback from that workgroup meeting, this proposal has no impact on the enforcement of the code, but does create clarity for the general public.

DHCD Staff Note: Mr. Biller has agreed to this proposal as a substitute for his original proposal. The additional supporting statement from Mr. Biller's proposal has been added to the attachments to this proposal. It may be viewed in cdpVA at this link: [Additional Supporting Statement](#)

Cost Impact: This will not impact the cost of construction or the maintenance and testing of these protectives.

Public Comments (1)

By **Justin Biller**

08-29-2016 22:25:48

As the original proponent of this change, I am in full support of the alternative language as Mr. Dawson puts forward in this proposal. With acceptance of this proposal, I am in agreement to rescind my original proposal in support of this alternative. Refer also to my proposal for additional language in support of the needed change in the language for clarification purposes only.

Kindest Regards,

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Approval

Workgroup 2 Reason: 6/13/17 Combined workgroup meeting 1, 2, 3, and 4--approved
4/11/17 Combined workgroup meeting 1, 2, 3, and 4--pending

Workgroup 1 Recommendation Recommendation: Consensus for Approval

Workgroup 1 Reason: 6/13/17 Combined workgroup meeting 1, 2, 3, and 4--approved
4/11/17 Combined workgroup meeting 1, 2, 3, and 4--pending

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-703.4 cdpVA-15

Additional rationale for F-703.4 proposal as written

Annual fire door inspections for **BOTH** swinging doors (with builder's or fire door hardware) and horizontal/vertical sliding/rolling doors have been required by the Virginia Statewide Fire Prevention Code (SFPC) since the adoption of the 2009 edition in March 1, 2011. This can be clearly seen in the extracted code information below for both the 2009 and 2012 editions, as well as the proposed 2015 edition of the SFPC. It is not the intent of proposal F-703.4 to provide any additional requirements, but only to clarify a 5 year old fire prevention code requirement that has perhaps not been enforced consistently across the Commonwealth up until this point. The revisions to section 703.4 would clearly delineate the requirements established in NFPA 80 since the 2007 edition of that standard was first published.

There are various reasons, the technical committee determined beginning with the 2007 edition to require an annual fire door inspection. Prior to the 2007 edition of NFPA 80, the standard only required that fire doors and windows be inspected frequently. Requiring inspections "frequently" is not an enforceable provision. Building owners, fire door inspectors, and AHJs were unable to determine the intended frequency of the inspections. This language allowed for many fire doors to go un-inspected for too long, which risked their integrity and ability to properly protect the opening. For the 2007 edition of NFPA 80, the language was revised as part of new Chapter 5 and the required frequency for inspection of fire doors and windows was set at annually, and the assumption is that this has been enforced within the Commonwealth since the adoption of the 2009 Statewide Fire Prevention Code. Additional language is also provided to clarify the need for a visual inspection of the opening protective to be part of the functional testing required by this section, as prescribed in NFPA 80.

I can also personally attest, as an owner's representative reviewing annual fire door inspections for 7 different hospitals in the health care system I support, that the compliance record has been less than stellar. Each of these reports cited deficiencies with a range of 60 – 90% of fire door openings in each of these facilities. As a previous fire inspector with the State Fire Marshal's Office, I can also attest that this is not isolated one single owner, but I would propose that this is a reflection of a systemic problem with most of our present building stock that employ fire door protective openings. Annual fire door inspections are an effective way for a building owner to manage the inventory of fire doors they are required to maintain. This is not just a code issue, but really goes to the heart of assuring life safety within an existing building - almost any multi-story building, or unsprinklered building with a corridor system has fire doors for a particular reason, and the appropriate enforcement of the SFPC will address the ongoing maintenance concern that fire officials and inspectors face every day. We as building professionals have long recognized the need for regular inspection, testing and maintenance of other fire protection systems (e.g. fire sprinkler, fire alarm, etc.) and fire doors are another piece of that overall fire protection/life safety strategy that must also have regular inspection, testing and ongoing maintenance.

Statewide Fire Prevention Code (IFC), 2009

703.2 Opening protectives. **Opening protectives shall be maintained in an operative condition in accordance with NFPA 80.** Fire doors and smoke barrier doors shall not be blocked or obstructed or otherwise made inoperable. Fusible links shall be replaced promptly whenever fused or damaged. Fire door assemblies shall not be modified.

NFPA 80, 2007 Excerpt as referenced by the Statewide Fire Prevention Code (IFC), 2009 edition (see IFC chapter 47):

5.2* Inspections.

5.2.1* Fire door assemblies shall be inspected and tested not less than annually, and a written record of the inspection shall be signed and kept for inspection by the AHJ.

5.2.3 Functional Testing.

5.2.3.1 Functional testing of fire door and window assemblies shall be performed by individuals with knowledge and understanding of the operating components of the type of door being subject to testing.

5.2.3.2 Before testing, a visual inspection shall be performed to identify any damaged or missing parts that can create a hazard during testing or affect operation or resetting.

5.2.4 Swinging Doors with Builders Hardware or Fire Door Hardware.

5.2.4.1 Fire door assemblies shall be visually inspected from both sides to assess the overall condition of door assembly.

5.2.4.2 As a minimum, the following items shall be verified:

- (1) No open holes or breaks exist in surfaces of either the door or frame.
- (2) Glazing, vision light frames, and glazing beads are intact and securely fastened in place, if so equipped.
- (3) The door, frame, hinges, hardware, and noncombustible threshold are secured, aligned, and in working order with no visible signs of damage.
- (4) No parts are missing or broken.
- (5) Door clearances at the door edge to the frame, on the pull side of the door, do not exceed clearances listed in 4.8.4 and 6.3.1.
- (6) The self-closing device is operational, that is, the active door completely closes when operated from the full open position.
- (7) If a coordinator is installed, the inactive leaf closes before active leaf.
- (8) Latching hardware operates and secures the door when it is in the closed position.
- (9) Auxiliary hardware items that interfere or prohibit operation are not installed on the door or frame.
- (10) No field modifications to the door assembly have been performed that void the label.
- (11) Gasketing and edge seals, where required, are inspected to verify their presence and integrity.

5.2.5 Horizontally Sliding, Vertically Sliding, and Rolling Doors.

5.2.5.1 Fire door assemblies shall be visually inspected from both sides to assess the overall condition of door assembly.

5.2.5.2 The following items shall be verified:

- (1) No open holes or breaks exist in surfaces of either the door or frame.
- (2) Slats, endlocks, bottom bar, guide assembly, curtain entry hood, and flame baffle are correctly installed and intact.

- (3) Glazing, vision light frames, and glazing beads are intact and securely fastened in place, if so equipped.
 - (4) Curtain, barrel, and guides are aligned, level, plumb, and true.
 - (5) Expansion clearance is maintained in accordance with manufacturer's listing.
 - (6) Drop release arms and weights are not blocked or wedged.
 - (7) Mounting and assembly bolts are intact and secured.
 - (8) Attachment to jambs are with bolts, expansion anchors, or as otherwise required by the listing.
 - (9) Smoke detectors, if equipped, are installed and operational.
 - (10) No parts are missing or broken.
 - (11) Fusible links, if equipped, are in the location; chain/ cable, s-hooks, eyes, and so forth, are in good condition (i.e., no kinked or pinched cable, no twisted or inflexible chain); and links are not painted or coated with dust or grease.
 - (12) Auxiliary hardware items that interfere or prohibit operation are not installed on the door or frame.
 - (13) No field modifications to the door assembly have been performed that void the label.
- 5.2.6 Inspection shall include an operational test for automatic closing doors and windows to verify that the assembly will close under fire conditions.

Statewide Fire Prevention Code (IFC), 2012

703.2 Opening protectives. Opening protectives shall be maintained in an operative condition in accordance with NFPA 80.

Where allowed by the *fire code official*, the application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the *approved* third-party certification organization accredited for *listing* the opening protective. Fire doors and *smoke barrier* doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced promptly whenever fused or damaged. Fire door assemblies shall not be modified.

NFPA 80, 2010 Excerpt as referenced by the Statewide Fire Prevention Code (IFC), 2012 edition (see IFC chapter 80):

5.2* Inspections.

5.2.1* Fire door assemblies shall be inspected and tested not less than annually, and a written record of the inspection shall be signed and kept for inspection by the AHJ.

5.2.3 Functional Testing.

5.2.3.1 Functional testing of fire door and window assemblies shall be performed by individuals with knowledge and understanding of the operating components of the type of door being subject to testing.

5.2.4 Swinging Doors with Builders Hardware or Fire Door Hardware.

5.2.4.1 Fire door assemblies shall be visually inspected from both sides to assess the overall condition of door assembly.

5.2.4.2 As a minimum, the following items shall be verified:

- (1) No open holes or breaks exist in surfaces of either the door or frame.
- (2) Glazing, vision light frames, and glazing beads are intact and securely fastened in place, if so equipped.
- (3) The door, frame, hinges, hardware, and noncombustible threshold are secured, aligned, and in working order with no visible signs of damage.
- (4) No parts are missing or broken.
- (5) Door clearances do not exceed clearances listed in 4.8.4 and 6.3.1.7.
- (6) The self-closing device is operational; that is, the active door completely closes when operated from the full open position.
- (7) If a coordinator is installed, the inactive leaf closes before the active leaf.
- (8) Latching hardware operates and secures the door when it is in the closed position.
- (9) Auxiliary hardware items that interfere or prohibit operation are not installed on the door or frame.
- (10) No field modifications to the door assembly have been performed that void the label.
- (11) Gasketing and edge seals, where required, are inspected to verify their presence and integrity.

5.2.5 Horizontally Sliding, Vertically Sliding, and Rolling Doors.

5.2.5.1 Fire door assemblies shall be visually inspected from both sides to assess the overall condition of door assembly.

5.2.5.2 The following items shall be verified:

- (1) No open holes or breaks exist in surfaces of either the door or frame.
- (2) Slats, endlocks, bottom bar, guide assembly, curtain entry hood, and flame baffle are correctly installed and intact.

- (3) Glazing, vision light frames, and glazing beads are intact and securely fastened in place, if so equipped.
- (4) Curtain, barrel, and guides are aligned, level, plumb, and true.
- (5) Expansion clearance is maintained in accordance with manufacturer's listing.
- (6) Drop release arms and weights are not blocked or wedged.
- (7) Mounting and assembly bolts are intact and secured.
- (8) Attachments to jambs are with bolts, expansion anchors, or as otherwise required by the listing.
- (9) Smoke detectors, if equipped, are installed and operational.
- (10) No parts are missing or broken.
- (11) Fusible links, if equipped, are in the location; chain/cable, s-hooks, eyes, and so forth, are in good condition (i.e., no kinked or pinched cable, no twisted or inflexible chain); and links are not painted or coated with dust or grease.
- (12) Auxiliary hardware items that interfere or prohibit operation are not installed on the door or frame.
- (13) No field modifications to the door assembly have been performed that void the label.

IFC, 2015 – Base Document for 2015 Statewide Fire Prevention Code

703.2 Opening protectives. Opening protectives shall be maintained in an operative condition in accordance with NFPA 80. Where allowed by the *fire code official*, the application of field-applied labels associated with the maintenance of opening protectives shall follow the requirements of the *approved* third-party certification organization accredited for *listing* the opening protective. Fire doors and *smoke barrier* doors shall not be blocked or obstructed, or otherwise made inoperable. Fusible links shall be replaced promptly whenever fused or damaged. Fire door assemblies shall not be modified.

NFPA 80, 2013 Excerpt as referenced by the IFC, 2015 edition (see IFC chapter 80):

5.2.4 Periodic Inspection and Testing.

5.2.4.1* Periodic inspections and testing shall be performed not less than annually.

5.2.4.2 As a minimum, the provisions of 5.2.3 shall be included in the periodic inspection and testing procedure.

5.2.4.3 Inspection shall include an operational test for automatic-closing doors and windows to verify that the assembly will close under fire conditions.

5.2.3.5 Swinging Doors with Builders Hardware or Fire Door Hardware.

5.2.3.5.1 Fire door assemblies shall be visually inspected from both sides to assess the overall condition of door assembly.

5.2.3.5.2 As a minimum, the following items shall be verified:

- (1) Labels are clearly visible and legible.
- (2) No open holes or breaks exist in surfaces of either the door or frame.
- (3) Glazing, vision light frames, and glazing beads are intact and securely fastened in place, if so equipped.
- (4) The door, frame, hinges, hardware, and noncombustible threshold are secured, aligned, and in working order with no visible signs of damage.
- (5) No parts are missing or broken.
- (6) Door clearances do not exceed clearances listed in 4.8.4 and 6.3.1.7.
- (7) The self-closing device is operational; that is, the active door completely closes when operated from the full open position.
- (8) If a coordinator is installed, the inactive leaf closes before the active leaf.
- (9) Latching hardware operates and secures the door when it is in the closed position.
- (10) Auxiliary hardware items that interfere or prohibit operation are not installed on the door or frame.
- (11) No field modifications to the door assembly have been performed that void the label.
- (12) Meeting edge protection, gasketing and edge seals, where required, are inspected to verify their presence and integrity.
- (13) Signage affixed to a door meets the requirements listed in 4.1.4.

5.2.3.6 Horizontally Sliding, Vertically Sliding, and Rolling Doors.

5.2.3.6.1 Fire door assemblies shall be visually inspected from both sides to assess the overall condition of door assembly.

5.2.3.6.2 The following items shall be verified:

- (1) Labels are clearly visible and legible.
- (2) No open holes or breaks exist in surfaces of either the door or frame.
- (3) Slats, endlocks, bottom bar, guide assembly, curtain entry, hood, and flame baffle are correctly installed and intact, for rolling steel fire doors.
- (4) Glazing, vision light frames, and glazing beads are intact and securely fastened in place, if so equipped.
- (5) Curtain, barrel, and guides are aligned, level, plumb, and true for rolling steel fire doors.

- (6) Expansion clearance is maintained in accordance with manufacturer's listing.
- (7) Drop release arms and weights are not blocked or wedged.
- (8) Mounting and assembly bolts are intact and secured.
- (9) Attachments to jambs are with bolts, expansion anchors, or as otherwise required by the listing.
- (10) Smoke detectors, if equipped, are installed and operational.
- (11) No parts are missing or broken.
- (12)*Fusible links, if equipped, are in the location; chain/ cable, s-hooks, eyes, and so forth, are in good condition; the cable or chain are not kinked, pinched, twisted, or inflexible; and links are not painted or coated with dust or grease.
- (13) Auxiliary hardware items that interfere or prohibit operation are not installed on the door or frame.
- (14) No field modifications to the door assembly have been performed that void the label.
- (15) Doors have an average closing speed of not less than 6 in./ sec (152 mm/sec) or more than 24 in./sec (610 mm/sec).

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F-1030.1 cdpVA-15

Proponent : Andrew Milliken, Representing Stafford County Fire Marshal's Office (amilliken@staffordcountyva.gov)

2015 International Building Code

1030.1 General. In addition to the *means of egress* required by this chapter, provisions shall be made for *emergency escape and rescue openings* in Group R-2 occupancies in accordance with Tables 1006.3.2(1) and 1006.3.2(2) ~~and~~, Group R-3 and R-4 occupancies. *Basements* and sleeping rooms below the fourth story above *grade plane* shall have at least one exterior *emergency escape and rescue opening* in accordance with this section. Where *basements* contain one or more sleeping rooms, *emergency escape and rescue openings* shall be required in each sleeping room, but shall not be required in adjoining areas of the *basement*. Such openings shall open directly into a *public way* or to a *yard* or *court* that opens to a *public way*.

- **Exceptions:**

1. *Basements* with a ceiling height of less than 80 inches (2032 mm) shall not be required to have *emergency escape and rescue openings*.
2. *Emergency escape and rescue openings* are not required from *basements* or sleeping rooms that have an *exit door* or *exit access door* that opens directly into a *public way* or to a *yard*, *court* or exterior exit balcony that opens to a *public way*.
3. *Basements* without *habitable spaces* and having not more than 200 square feet (18.6 m²) in floor area shall not be required to have *emergency escape and rescue openings*.

2015 International Fire Code

[BE] 1030.1 General. In addition to the *means of egress* required by this chapter, provisions shall be made for *emergency escape and rescue openings* in Group R-2 occupancies in accordance with Tables 1006.3.2(1) and 1006.3.2(2) ~~and~~, Group R-3 and R-4 occupancies. *Basements* and sleeping rooms below the fourth story above *grade plane* shall have at least one exterior *emergency escape and rescue opening* in accordance with this section. Where *basements* contain one or more sleeping rooms, *emergency escape and rescue openings* shall be required in each sleeping room, but shall not be required in adjoining areas of the *basement*. Such openings shall open directly into a *public way* or to a *yard* or *court* that opens to a *public way*.

- **Exceptions:**

1. *Basements* with a ceiling height of less than 80 inches (2032 mm) shall not be required to have *emergency escape and rescue openings*.
2. *Emergency escape and rescue openings* are not required from *basements* or sleeping rooms that have an *exit door* or *exit access door* that opens directly into a *public way* or to a *yard*, *court* or exterior exit balcony that opens to a *public way*.
3. *Basements* without *habitable spaces* and having not more than 200

square feet (18.6 m²) in floor area shall not be required to have *emergency escape and rescue openings*.

Reason: The intent of this proposal is to clarify that the requirements of emergency escape and rescue openings apply to R-4 occupancies. Section 310.6 of the 2012 Virginia Construction Code and 2015 International Building Code indicate that, "group R-4 occupancies shall meet the requirements for construction as defined for Group R-3, except as otherwise provided for in this code." Furthermore, section 403.9.3.6 of the 2012 Virginia Statewide Fire Prevention Code and 403.10.3.6 of the 2015 International Fire Code indicate that group R-4 occupancies shall include emergency escape and rescue windows as part of building evacuation procedures. This proposal does not add any new requirements but rather simply clarifies that emergency escape openings are essential for effective evacuation from and are required for R-4 occupancies. It also helps to provide continuity between Virginia Construction Code requirements for egress and Fire Prevention Code requirements for evacuation.

Cost Impact: This proposal does not impact cost as it is only editorial and does not add any new requirements.

Public Comments (0)

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Approval

Workgroup 2 Reason: Combined workgroup meeting 1, 2, 3, and 4

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-1030.1 cdpVA-15

F-3103.2 cdpVA-15

Proponent : Andrew Milliken , Representing Stafford County Fire Marshal's Office (amilliken@staffordcountyva.gov); James Dawson (dawsonj@chesterfield.gov)

2015 International Fire Code

3103.2 Approval required. Tents and membrane structures having an area in excess of ~~400~~900 square feet (~~37~~84 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the *fire code official*in accordance with Table 107.2.

Exceptions:

- ~~1. Tents used exclusively for recreational camping purposes.~~
- ~~2. Tents open on all sides that comply with all of the following:~~
 - ~~2.1. Individual tents having a maximum size of 700 square feet (65 m²) total.~~
 - ~~2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding 700 square feet (65 m²) total.~~
 - ~~2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other tents.~~

3103.2.1 Multiple tents The aggregate area of multiple tents separated by less than 12 feet (3658 mm) shall not exceed 900 square feet unless approved in accordance with Section 3103.2.

Reason: Staff Note: This proposal was revised based on the outcome of the Workgroup meeting on June 13, 2017. The revised language "attempts to resolve the conflicts with the square footage threshold in SFPC 102.7, and preserves the prohibition on multiple tent structures being used to avoid the 900 square foot permit threshold. This proposal in now properly correlated to 107.2".

The intent of this proposal is to eliminate conflicting language regarding when a permit is required. Section 107.2 of the Virginia Statewide Fire Prevention Code indicates the criteria for when permits are required to be obtained from the fire official, including for temporary tents and membrane structures. In fact, section 3103.4 highlights and guides the user of the code to this information already. Section 3103.2 comes from the model code and, although similiar, conflicts with the criteria located in chapter 1. The conflicting sections are provided below for reference.

From Section 107.2:

Temporary membrane structures and tents. An operational permit is required to operate an air-supported temporary membrane structure or a tent.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents and air-supported structures that cover an area of 900 square feet (84 m²) or less, including all connecting areas or spaces with a common means of egress or entrance and with an occupant load of 50 or less persons.

From Section 3103.2

Tents and membrane structures having an area in excess of 400 square feet (37 m²) shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the fire code official.

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides which comply with all of the following:
 - 2.1. Individual tents having a maximum size of 700 square feet (65 m²).
 - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding 700 square feet (65 m²) total.
 - 2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other tents.

Cost Impact: There is no cost impact associated with this proposal as it simply deletes conflicting language in the code.

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Approval

Workgroup 2 Reason: 6/13/17 Combined workgroup meeting 1, 2, 3, and 4--approved as ammended
4/11/17 Combined workgroup meeting 1, 2, 3, and 4--pending

Workgroup 1 Recommendation Recommendation: Consensus for Approval

Workgroup 1 Reason: 6/13/17 Combined workgroup meeting 1, 2, 3, and 4--approved as ammended
4/11/17 Combined workgroup meeting 1, 2, 3, and 4--pending

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-3103.2 cdpVA-15

F-3501.2 cdpVA-15

3501.2

Proponent : Glenn Dean (glenn.dean@vdfp.virginia.gov)

2012 Virginia Statewide Fire Prevention Code

3501.2 Permits.

Permits shall be required as set forth in Section 107.2.

Reason: Correct an omission from the '12 adoption cycle and to reference the proper permit section in Chapter 1.

And to properly correlate the permit requirements with the table in Chapter 1.//jrd

Cost Impact: No cost impact.

Public Comments (1)

By **James Dawson**

08-05-2016 13:13:02

Just to confirm, from the 2015 IFC language, the only change is the reference to the SFPC table 107.2. The formatting as I see it here has the entire text underlined, the only thing that should be is the 107.2 reference and a stricken IFC table reference to 105.6

Workgroup Recommendation

Workgroup 1 Recommendation Recommendation: Consensus for Approval

Workgroup 1 Reason: None

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-3501.2 cdpVA-15

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F-5605.1 cdpVA-15

Proponent : Steven Sites, Representing Virginia State Fire Marshal's Office (steven.sites@vdfp.virginia.gov); Brian McGraw (brian.mcgraw@vdfp.virginia.gov)

2012 Virginia Statewide Fire Prevention Code

5605.1 General.

The manufacture, assembly and testing of explosives, ammunition, blasting agents and fireworks shall comply with the requirements of this section, ~~Title 59.1, Chapter 11 of the Code of Virginia, and NFPA 495, or NFPA 4951124, or NFPA 11241126.~~

- **Exceptions:**

1. The hand loading of small arms ammunition prepared for personal use and not offered for resale.
2. The mixing and loading of blasting agents at blasting sites in accordance with NFPA 495.
3. ~~The use of binary explosives or phosphoric materials in blasting or pyrotechnic special effects applications in accordance with NFPA 495 or NFPA 1126.~~

Reason: Title 59.1, Chapter 11 of the Code of Virginia was repealed in 2002.

The delete of exception #3 in Section 5605.1 is to correct an error that has existed since before the final IFC draft in July 1998. None of the legacy codes has such an exception. Reading the exception in its present form does not make sense if you were to ask the question, does this mean that if the explosives were manufactured on-site, their use is exempt?

NFPA 1126, Chapter 7 addresses the "manufacture" of pyrotechnics used in proximity to an audience. The provisions include product identification, the manufacture's description of use and hazards, its intended use, premeasured and packaged components, etc. Therefore the reference to NFPA 1126 should be relocated to the charging section as an addition to NFPA 1124, the standard for the manufacture of fireworks.

Cost Impact: No cost impact to the Commonwealth

Public Comments (0)

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Approval

Workgroup 2 Reason: Consensus for approval after verification of statutory sections

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-5605.1 cdpVA-15

F-5706.1.1 cdpVA-15

Proponent : James Dawson (dawsonj@chesterfield.gov)

2012 Virginia Statewide Fire Prevention Code

5706.1.1 Mobile Fueling Operations Delivery of Class I, Class II, and Class III liquids to the fuel tank of a highway vehicle from a tank vehicle, tank(s) carried on a vehicle, or non-portable container is prohibited.

Exceptions:

1. The refueling of highway vehicles in an emergency.
2. The refueling of vehicles in compliance with Sections 5706.5.4.1 through 5706.5.4.5.
3. Vehicles used for farm operations and machinery.

Reason: Staff note: Revised based on outcome of August 23, 2017 meeting.

Submitted on behalf of the Fire Services Board Code Committee.

This replaces a previous proposal submitted to modify Section 2304.

This is submitted on behalf of the Fire Services Board Code Committee.

Mobile fueling operations are emerging as a service that is already prohibited by this code, however the clarity of the provisions are buried well inside of sections and sub-sections of this chapter.

The reason these types of fueling operations are prohibited is there is no means to provide the basic safety precautions provided at fixed commercial facilities. Namely; spill containment, emergency shut off protection, electrical isolation and grounding, emergency procedures for operators, and emergency services notification.

This practice is prohibited by Section 507.6.5.4 which states, "Dispensing from tank vehicles and tank cars into the fuel tanks of motor vehicles shall be prohibited". That section goes on to allow the fueling of boats, farm equipment, aircraft, and vehicles under emergency conditions. Those specific processes are outlined in 5706.5.4.1 - 5706.5.4.5. This additional section within the "general" section of this portion of the code makes it more clear when and where this section should be applied and that these practices are prohibited unless operations are conducted in accordance with the current code.

This is not new prohibition, simply a clarification and ordering code change.

COMMENTS BASED ON JUNE 13 WORKGROUP MEETING:

An additional exception has been added to address David Beahm's concerns related to this type of operations with farm vehicles and machinery.

Cost Impact: There are no cost impacts associated with this change.

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Approval

Workgroup 2 Reason: 8/23/17 Combined workgroup meeting 1, 2, 3, and 4--Consensus for Approval pending proponent's discussion with AG concerning legality of revised language (provided by David Beahm to reach consensus).

6/13/17 Combined workgroup meeting 1, 2, 3, and 4--pending

4/11/17 Combined workgroup meeting 1, 2, 3, and 4--pending

Board Decision

None

F-5706.1.1 cdpVA-15



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F-6701.2 cdpVA-15

6701.2

Proponent : Glenn Dean (glenn.dean@vdfp.virginia.gov)

2012 Virginia Statewide Fire Prevention Code

6701.2 Permits.

Permits shall be required as set forth in Section 107.2.

Reason: Correct an omission from the '12 adoption cycle and to reference the proper permit section in Chapter 1.

And to make this section correspond to all other sections referencing permits to the proper table in Chapter 1.//jrd

Cost Impact: No cost impact.

Public Comments (1)

By **James Dawson**

08-05-2016 13:16:23

Just to confirm, this change to the 2015 IFC is only the reference to the table 107.2 in the SFPC. As written, it appears like it's a new section since the entire change is underlined. It should only have the 107.2 underlined and have 105.6 stricken from the IFC language.

Workgroup Recommendation

Workgroup 1 Recommendation Recommendation: Consensus for Approval

Workgroup 1 Reason: Combined workgroup meeting 1, 2, 3, and 4

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-6701.2 cdpVA-15

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CB-915.1.1(1) cdpVA-15

Proponent : Kenney Payne, Representing AIA Virginia
(kpayne@moseleyarchitects.com)

2012 Virginia Construction Code

915.1.1 Installation.

The building owner shall install coaxial radiating cable, such or equivalent system, as coaxial cable or equivalent designed to meet the required building coverage. The radiating cable shall be installed in ~~dedicated conduits, raceways, plenums, attics, or roofs, compatible for these specific installations as well as other applicable provisions of this code~~ accordance with the manufacturer's instructions. The locality shall be responsible for the installation of any additional communication equipment required for the operation of the system.

2012 Virginia Statewide Fire Prevention Code

510.2 Additional in-building emergency communications installations.

If it is determined by the locality that increased amplification of their emergency communication system is needed, the building owner shall allow the locality access as well as provide appropriate space within the building to install and maintain necessary additional communication equipment by the locality. If the building owner denies the locality access or appropriate space, or both, the building owner shall be responsible for the installation and maintenance of these additional systems other than radio amplification or repeater equipment which shall remain the responsibility of the locality.

Reason:

VCC Section 915.1.1 (modified to 916.1.1 Installation in the "Proposed Regulations"). Radiating cable is a coaxial cable. Also, radiating cable does not work in metallic conduit so installing such cable in dedicated conduit does not work. Radiating coaxial cable is essentially a radiating wire antenna in a conduit (the coax shield) with specific sized holes through the shield that only let certain radio frequencies in and out. Putting the radiating cable inside a conduit stops this from happening. By requiring installation to be in accordance with the manufacturer's instructions should result in an installation that actually works.

SFPC Section 510. It describes that the locality has to install and maintain necessary additional communication equipment. This is in accordance with the federal regulations of the Federal Communications Commission (FCC). However, the final sentence needs to be clarified that this does not apply to radio amplification or repeater equipment. Under federal FCC regulations, it is illegal for anyone to install and maintain such equipment on licensed frequencies other than the license holder, who are typically the locality or police/fire service.

Cost Impact: None.

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Disapproval

Workgroup 2 Reason: Combined workgroups 1, 2, 3, & 4

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

CB-915.1.1(1) cdpVA-15

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F-102.1.1 cdpVA-15

Proponent : William Andrews (william.andrews@richmondgov.com)

2012 Virginia Statewide Fire Prevention Code

102.1.1 Changes.

A building or structure shall not be used or occupied, and a change in the existing use or occupancy classification of a building or structure or portion thereof shall not be made, until the building official has issued an appropriate certificate of occupancy.

-

Reason: For 2015 code, change to wording from IBC, so use per Certificate of Occupancy issued by building official. Current code limits fire official from citing violation when use changes unless only within same use group (this section) or declare building unsafe due to changed use (section 110.4). Change enables fire official to require customer get appropriate Certificate of Occupancy from building official when use changes. Fire code applied base on Certificate of Occupancy, as approved by building official, thus when use changes, need new Certificate of Occupancy as document changed use allowed by building official.

Cost Impact: No construction cost, merely permit process cost for new Certificate of Occupancy when use changes.

Public Comments (0)

Workgroup Recommendation

Workgroup 1 Recommendation Recommendation: Consensus for Disapproval

Workgroup 1 Reason: 6/13/17 Combined workgroup meeting 1, 2, 3, and 4--consensus for disapproval
4/11/17 Combined workgroup meeting 1, 2, 3, and 4--pending

Workgroup 2 Recommendation Recommendation: Consensus for Disapproval

Workgroup 2 Reason: 6/13/17 Combined workgroup meeting 1, 2, 3, and 4--consensus for disapproval
4/11/17 Combined workgroup meeting 1, 2, 3, and 4--pending

Board Decision

None

Board Decisions

- ☐ Approved
- ☐ Approved with Modifications
- ☐ Carryover
- ☐ Disapproved

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F-107.2(3) cdpVA-15

Proponent : William Andrews (william.andrews@richmondgov.com)

2015 International Fire Code

Table 107.2 Operational Permit Requirements Hot Works Operations.

item # 2: Use of portable hot work equipment inside a structure.

Exception: Work that is conducted under a construction permit over 35 feet from combustibles.

Reason: Work under a construction permit needs to comply with fire code on hot works safety regulations. Building code not cover safety regulations of fire code on hot work; including distance to combustibles. Hot work in a structure under construction permit could pose risk to adjoining combustibles not under building permit; including separate property. Fire code permits record of contractor aware require comply with fire code hot works safety regulations. 35 feet from 29CFR OSHA, which requires certain safety procedures where hot work within 35 feet. Similar to smoking cigarettes, fire code and fire official should have authority to regulate fire risk during construction; which especially nearing completion is similar to a vacant structure.

Cost Impact: Minimal cost for permit. Many jurisdiction charge no permit fee. City of Richmond charges \$75 for annual, city-wide permit; allowing contractor to do hot work anywhere in city. Annual permit allows fire official to discuss code updates or other issues with contractor continuing to do hot work within city over many years.

Public Comments (0)

Workgroup Recommendation

Workgroup 1 Recommendation Recommendation: Consensus for Disapproval

Workgroup 1 Reason: None

Workgroup 2 Recommendation Recommendation: Consensus for Disapproval

Workgroup 2 Reason: None

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-107.2(3) cdpVA-15

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F-319 cdpVA-15

Proponent : William Andrews, Representing City of Richmond, Fire Marshal's office (william.andrews@richmondgov.com)

2015 International Fire Code

SECTION319 Cooking

When inside, commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors shall be located where approved by the building code.

Reason: Cooking is main cause of fires, so fire official needs regulation on cooking that produces grease vapors. Fire official have been using Section 609 which requires Type I hood for such cooking, yet state's proposals editing building feature requirements might lessen our authority to stop frying in a store, not under hood with suppression system approved by the building code. Cooking within a kitchen of a dwelling unit is approved by building code, yet a portable electric fryer is not typically allowed by building code for cooking in a store, or a restaurant kitchen unless protected by an approved exhaust hood and fire suppression system. This regulates risky activity instead of building feature of hood, in section 609.

Cost Impact: No new cost. Fire code continues as has since state fire code started, regulating risky activity.

Public Comments (1)

By **William Andrews**
06-19-2017 14:23:17

Per June 13 meeting discussion, please replace word "code" at end with "official", helping clarify cooking appliances located where approved by building official, not where fire official interprets building code.

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Disapproval

Workgroup 2 Reason: 8/23/17 Combined workgroup meeting 1, 2, 3, and 4-Consensus for disapproval

6/13/17 Combined workgroup meeting 1, 2, 3, and 4-pending

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**

- ☐ **Disapproved**
- ☐ **None**

F-319 cdpVA-15

F-403.12.3.1 cdpVA-15

Proponent : Emory Rodgers (errpp1242@verizon.net)

2015 International Fire Code

403.12.3.1 Number of crowd managers. The minimum number of crowd managers shall be established at a ratio of one crowd manager for every 250 persons above 1,000 persons.

Exception: Where approved by the *fire code official*, the number of crowd managers shall be permitted to be reduced where the facility is equipped throughout with an *approved automatic sprinkler system* or based upon the nature of the event.

Reason: Rather than having five crowd managers if over 1,000 persons, this proposal would establish one crowd manager for events having 1,001 through 1,250 persons and an additional crowd manager for every 250 persons above 1,250.

Cost Impact: Cost decrease as need only one for each 250 persons over 1,000 instead of 5 crowd managers at 1001.

Public Comments (1)

By **James Dawson**

03-07-2017 14:13:51

This proposal reduces safety at public events and is not justified by the reason statement. The reason statement is also flawed for various reasons.

First, this provision has been in the ICC model codes since at least the 2009 edition and has not been questioned. The modifications in the 2015 edition of the IFC were editorial in nature as noted in the supporting statement from the ICC Fire Code Action Committee (see April 2013 ICC Committee Action Hearings item F25-13 which was Approved As Submitted). The re-organization of this chapter did not change the threshold required for crowd managers or the number of crowd managers needed. This change proposed in the Virginia SFPC is without merit.

Another flaw in the justification to this change is that it only takes one crowd manager to manage the first 1,000 persons, but the next 1,000 persons needs four crowd managers. Logic dictates that the first 1,000 people require just as much in the way of safety and direction as the second 1,000 persons.

The math in the cost impact is incorrect. Based on the model code, there are four crowd managers required for events with 1,000 to 1,249 persons. The fifth crowd manager would be triggered by the 1,250th attendee, not the 1,001st. The following illustrates the crowd manager requirements accurately:

≤ 249 people = 0 crowd managers

250 - 499 = 1 crowd manager

500 - 749 = 2 crowd managers

750 - 999 = 3 crowd managers

1,000 - 1,249 = 4 crowd managers

1,250 - 1,499 = 5 crowd managers

Under Mr. Rodgers' proposal, the first crowd manager would not be required until the 1,250th person was in attendance by the text "one crowd manager for **every 250 persons above 1,000 persons**." (emphasis added) So for a venue of 1,200 people, there is no requirement for **ANY** crowd managers. This greatly reduces safety and increases risk for those persons in attendance and this change is clearly reducing public safety.

Also consider that any venue that has sprinklers provided is authorized - with the fire code official's approval - to reduce the number of crowd managers based on the nature of the event. I would presume there are not many venues that have a capacity of 1,000 or more that do not have sprinkler protection.

This proposal should be denied as it significantly reduces public safety and is contrary to all national model fire safety and life safety codes.

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Disapproval

Workgroup 2 Reason: 8/23/17 Combined workgroup meeting 1, 2, 3, and 4-consensus for disapproval

6/13/17 Combined workgroup meeting 1, 2, 3, and 4 pending

4/11/17 Combined workgroup meeting 1, 2, 3, and 4-pending

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-403.12.3.1 cdpVA-15

F-601.3 cdpVA-15

Proponent : William Andrews, Representing City of Richmond, Fire Marshal's office (william.andrews@richmondgov.com)

2015 International Fire Code

601.3 Building records on site The building owner shall have at least a copy of existing records on site available for official review upon request. Records shall be as approved by the building official, including, yet not be limited to the following:

1. Building construction plans, including fire protection systems.
2. Floor plans showing exits, use of rooms and areas, and maximum occupancy load of assembly areas.
3. Details on kitchen exhaust hood, cooking appliance type and location, and fire suppression system.
4. Permanent tanks over 60 gallon size containing hazardous materials.
5. Site plan of structures, nearby hydrants and roads, landscaping and topographic features impacting egress or emergency access.
6. Copy of Certificate of Occupancies and building permits until obsolete.

Electronic records may be accessible by internet.

Reason: Since state code on record retention allows building plans, Certificate of Occupancy, etc. disposal after property sells or 3 years, fire and building maintenance officials need record of details approved by building official in order to apply maintenance requirements. Having records on site, or accessible via internet, allows future entities reference by those responsible for building compliance. "Existing" indicates no mandate to create, merely have at least copy of record.

Cost Impact: Minimal cost to copy and store paper records on site, or electronic records accessible via internet.

Public Comments (1)

By **William Andrews**
06-19-2017 14:20:42

Per June 13 meeting discussion, please change from "The building owner shall have at least a copy of existing records on site available for official review" to "The building owner shall provide a copy of existing records to the fire chief or official upon request." Change should reduce objection of requiring copy on site.

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Disapproval

Workgroup 2 Reason: None

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-601.3 cdpVA-15

F-703.1(1) cdpVA-15

Proponent : Zachary Adams (adamsz@vt.edu)

2015 International Fire Code

703.1 Maintenance. The required *fire-resistance rating* of fire-resistance-rated construction, including, but not limited to, walls, firestops, shaft enclosures, partitions, *smoke barriers*, floors, fire-resistive coatings and sprayed fire-resistant materials applied to structural members and fire-resistant joint systems, shall be maintained. Such elements shall be visually inspected by the *owner* ~~annually~~ and properly repaired, restored or replaced where damaged, altered, breached or penetrated. ~~Records of inspections and repairs shall be maintained.~~ Where concealed, such elements shall not be required to be visually inspected by the *owner* unless the concealed space is accessible by the removal or movement of a panel, access door, ceiling tile or similar movable entry to the space. Openings made therein for the passage of pipes, electrical conduit, wires, ducts, air transfer openings and holes made for any reason shall be protected with *approved* methods capable of resisting the passage of smoke and fire. Openings through fire-resistance-rated assemblies shall be protected by self- or automatic-closing doors of *approved* construction meeting the fire protection requirements for the assembly.

Reason:

While we agree it is imperative that the integrity of *fire-resistance construction* be maintained, to require an annual inspection imposes a substantial burden on the owner, especially where an extensive amount of square footage is occupied. Also, what tangible benefit does imposing an annual inspection requirement achieve? Finally, it appears sections 108.1(1) of the VCC and 105.1 of the VRC would require any work affecting such construction must be performed under a permit and are subject to inspection by the code official and during which any needed repairs to this construction would be identified.

The "OPTION ONE" proposal reverts this section to the verbiage used in earlier versions in the IFC.

The "OPTION TWO" proposal provides for an inspection frequency other than annual with the approval of the Authority Having Jurisdiction. Allowing the Owner to establish an inspection frequency other than annual, with the approval of the AHJ, would significantly reduce the cost impact and resources required to comply with this code section. If the Owner implements a program of inspection, oversight and controls on work that potentially impact fire-resistance rated construction which can be proven to be effective to the AHJ, this code change would allow such a program to essentially serve in lieu of the annual inspection requirements.

Cost Impact:

For the Option One proposal, this would remove a substantial financial burden from the Owner, who would need to have qualified persons perform these inspections and make any needed repairs in order to comply with section.

For the Option Two proposal, allowing the Owner to establish an inspection frequency other than annual, with the approval of the AHJ, would significantly reduce the cost impact and resources required to comply with this code section. If the Owner implements a program of inspection, oversight and controls on work that potentially impact fire-resistance rated construction which can be proven to be effective to the AHJ, this code change would allow such a program to essentially serve in lieu of the annual inspection requirements.

Public Comments (1)

By **James Dawson**
03-06-2017 08:38:03

The Fire Services Board Fire Code Committee has reviewed this proposal and the additional proposal (703.1(2)) and is in opposition to the original proposal and supports the option 2.

The FSB Committee understands the theory of added cost even though the proponent provides no evidence to support the claim of increased costs. With that said, the visual inspection of accessible rated assemblies is kindred to any inspection, testing, and maintenance of any fire protection features of a structure which are required for the safety of the occupants and firefighters who may respond.

As a result, there should be some inspections of these features to ensure they remain functional. As such, a reasonable inspection frequency can be authorized by the AHJ based on the history of compliance or violations on a case by case basis. For that reason, the FSB Committee supports the alternative to this proposal.

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Consensus for Disapproval

Workgroup 2 Reason: 6/13/17 Combined workgroup meeting 1, 2, 3, and 4--consensus disapproval
4/11/17 Combined workgroup meeting 1, 2, 3, and 4--pending

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-703.1(1) cdpVA-15

F-107.11 cdpVA-15

Proponent : Steven Sites (steven.sites@vdfp.virginia.gov); Brian McGraw (brian.mcgraw@vdfp.virginia.gov)

2012 Virginia Statewide Fire Prevention Code

107.11 State Fire Marshal's ~~Marshal's~~ office permit fees for explosives, blasting agents, theatrical flame effects, and fireworks.

~~Except as modified herein,~~

~~Complete permit applications for firework or pyrotechnic displays shall be submitted to and received by the State Fire Marshal's office~~ Marshal's Office not less than 15 days prior to the planned use or event. A \$500 expedited handling fee will be assessed on all permit applications submitted less than 15 days prior to the planned use or event.

Inspection fees will be assessed at a rate of \$60.00 per staff member per hour during normal business hours (Monday - Friday, 8:30 AM to 4:30 PM) and at a rate of \$90.00 per hour at all other times (nights, weekends, holidays).

State Fire ~~Marshal's~~ Marshal's Office permit fees shall be as follows:

- ~~1. \$150 per year per magazine to store explosives and blasting agents.~~
- ~~2. \$250 per year per city or county to use explosives and blasting agents.~~
- ~~3. \$200 per year to sell explosives and blasting agents.~~
- ~~4. \$250 per year to manufacture explosives, blasting agents and fireworks.~~
- ~~5. \$350 the first day of fireworks, pyrotechnics or proximate audience displays conducted in any state owned building and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than 15 days prior to the planned event, the permit fee shall be \$550 the first day and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than seven days prior to the planned event, the permit fee shall be \$650 the first day and \$150 per day for each consecutive day for identical multi-day events.~~
- ~~6. \$250 the first day of fireworks, pyrotechnics or proximate audience displays conducted out of doors on any state owned property and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than 15 days prior to the planned event, the permit fee shall be \$550 the first day and \$150 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than seven days prior to the planned event, the permit fee shall be \$650 the first day and \$150 per day for each consecutive day for identical multi-day events.~~
- ~~7. \$100 per nonrenewable permit, valid for one week from the date of issuance, for the use of explosives in special operations or emergency conditions.~~
1. \$300 the first day for flame effects conducted in accordance with Section [308.3.2](#) indoors of any state owned building or outdoors on state owned property and \$200 per day for each consecutive day for identical multi-day events, or, if conducted as part of a firework (pyrotechnic) display, \$150 the first day and \$125 per day for each consecutive day for identical multi-day

~~events. If an application for flame effects is received by the State Fire Marshal's office less than 15 days prior to the planned event, the permit fee shall be \$550 the first day and \$200 per day for each consecutive day for identical multi-day events or, if conducted as part of a firework (pyrotechnic) display, \$200 the first day and \$100 per day for each consecutive day for identical multi-day events. If an application is received by the State Fire Marshal's office less than 7 days prior to the planned event, the permit fee shall be \$650 the first day and \$150 per day for each consecutive day for identical multi-day events or, if conducted as part of a firework (pyrotechnic) display, \$300 the first day and \$125 per day for each consecutive day for identical multi-day events.~~

~~**Exception:** Permits shall not be required for the storage of explosives or blasting agents by the Virginia Department of State Police provided notification to the State Fire Marshal is made annually by the Chief Arson Investigator listing all storage locations within areas where enforcement is provided by the State Fire Marshal's office.~~

1. Storage of explosives and blasting agents, 12-month permit \$250 first magazine, plus \$150 per each additional magazine on the same site
2. Use of explosives and blasting agents, non-fixed site, 6-months permit \$250 per site, plus inspection fees
3. Use of explosives and blasting agents, fixed site, 12-month permit \$250 per site
4. Sale of explosives and blasting agents, 12-month permit \$250 per site
5. Manufacture explosives, blasting agents, and fireworks, 12-month permit \$250 per site
6. Fireworks display in / on State-owned property \$300 plus inspection fee
7. Pyrotechnics or proximate audience displays in / on State-owned property \$300 plus inspection fee
8. Flame effects in / on State-owned property \$300 plus inspection fee
9. Flame effects incidental to a permitted pyrotechnics display \$150
(Flame effects must be individual or group effects that are attended and manually controlled)

Exception: Permit fees shall not be required for the storage of explosives or blasting agents by state and local law enforcement and fire agencies.

-

Reason: To more accurately recover actual costs incurred by the agency during the application review process and the field inspection and oversight of explosives and fireworks use. The actual costs incurred by applicants could be reduced during a fireworks display when adverse weather forces the cancellation which results in a smaller fee from less time.

Cost Impact: No cost to the Commonwealth

Public Comments (0)

Workgroup Recommendation

Workgroup 1 Recommendation Recommendation: Non-Consensus Final

Workgroup 1 Reason: 8/23/17-Non consensus-board to decide

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-107.11 cdpVA-15

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F-507.5.1 cdpVA-15

Proponent : Mike Toalson, Representing Home Builders Association of Virginia (mltoalson@hbav.com)

2012 Virginia Statewide Fire Prevention Code

507.5.1 Where required. Fire hydrant systems shall be located and installed as directed by the fire department. Fire hydrant systems shall conform to the written standards of the jurisdiction and the fire department.

Exceptions:

1. For in-fill development of fewer than five detached single-family dwellings constructed in existing residential developments.
2. For the reconstruction or rehabilitation of detached single-family dwellings.

Reason:

Hydrant system upgrades or extensions are generally required or proffered when creating new subdivisions or in large commercial projects and the cost can be absorbed in the development costs. The cost of extending a hydrant system for a single building should not have to be borne by the owner or developer as it would prevent the project from moving forward.

DHCD Staff Note: The proposal was substantially changed subsequent to public comments being submitted; therefore, the public comments have been removed. Those submitting public comments have been notified of the removal of the public comments and may submit public comments to the new language if deemed necessary.

Cost Impact: The proposal would not increase cost.

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Non-Consensus Final

Workgroup 2 Reason: Combined workgroup meeting 1, 2, 3, and 4

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

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F-511 cdpVA-15

511 (New)

Proponent : Brian McGraw (brian.mcgraw@vdfp.virginia.gov)

2012 Virginia Statewide Fire Prevention Code

SECTION 511 As-Built Drawings

A set of accurate, up to date as-built drawings, as required by the Building Code, shall be maintained on the premises at all times.

Reason: Conducting inspections of existing buildings to determine compliance with the provisions of the Statewide Fire Prevention Code and the Property Maintenance Code often require knowing what specific Building Code the building was constructed under as well as any modifications that were approved. Such information is often not available on site. Building Department records may not be kept indefinitely. By requiring approved as-built drawings to be maintained on the premises, a Fire Prevention Inspector or Property Maintenance Inspector has an accurate standard against which to assess the condition of the building and compliance with applicable code requirements. This requirement reduces or eliminates the "guesswork" associated with determining what was "approved" at the time of construction or renovation. This will greatly enhance an inspectors capability to accurately assess the existence and scope of violations when faced with time sensitive situations such as responding to an after-hours complaint. The current process of removing "unenforceable provisions" from the Fire Code also removes metrics that the Fire Prevention Inspector can use as a starting point for assessing compliance. The Rehabilitation Code allows for work to be performed and systems to be installed in portions of buildings rather than throughout. Maintaining up to date, accurate as-built drawings on the premises allows an inspector to readily identify what has actually been approved.

Cost Impact: There should be little to no cost involved with maintaining the required as-built drawings on the premises. There may be cost associated with updating the as-built drawings to reflect alterations and renovations, however, most construction contracts require the preparation of as-built drawings as part of the scope of work. The only potential significant cost would be if the drawings were lost or destroyed, in which case the building owner would be responsible for producing a new set. However, with current technology, this most likely would involve only the cost of printing.

Public Comments (1)

By **Brian McGraw**

08-21-2017 17:53:01

Based on feedback received after the Work Group meeting, the submitter proposed the following change to the proposal:

Section 511. Record Documents. Record documents, as required by the Building Code, shall be maintained at the building site or other location acceptable to the fire code official and shall be made available to the fire code official upon request. Documents shall be updated, or additional record documents provided, to record any changes, modifications or other components that differ from the "Approved" construction documents including, but not limited to, additions, alternations, permitted repairs or changes of occupancy.

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Non-Consensus Final

Workgroup 2 Reason: None

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

F-511 cdpVA-15

F-609.3 cdpVA-15

Proponent : William Andrews, Representing City of Richmond, Fire Marshal's office (william.andrews@richmondgov.com)

2015 International Fire Code

609.3 Operations and maintenance. When inside, commercial cooking appliances and domestic cooking appliances used for commercial purposes that produce grease vapors shall be located where approved by the building official. Commercial cooking systems shall be operated and maintained in accordance with Sections 609.3.1 through 609.3.4.

Reason: Cooking is the main cause of fires. Fire code needs to regulate where cooking that produces grease vapors occurs inside a building or structure. The current and past fire codes required a Type I hood over cooking that produces grease vapors. Fire officials have been using this to stop such risky cooking inside without hood and fire suppression. State code edits might weaken implied limit on such cooking, so this clarifies regulating fire risk instead of requiring building feature. Another option would be add regulation into Chapter 3; yet here associated with commercial kitchen hoods.

Cost Impact: No new cost, merely allows fire official to properly regulate commercial cooking which produces grease vapors.

Public Comments (1)

By **William Andrews**
06-19-2017 14:27:51

Per June 13 meeting discussion, please replace word "code" with "official" at end of proposed first sentence so cooking appliances shall be located where approved by the building official, not interpret as where fire official applying building code.

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Non-Consensus Final

Workgroup 2 Reason: 8/23/17 Combined workgroup meeting 1, 2, 3, and 4-Non consensus
6/13/17 Combined workgroup meeting 1, 2, 3, and 4--pending
4/11/17 Combined workgroup meeting 1, 2, 3, and 4--pending

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**

- ☐ **Disapproved**
- ☐ **None**

F-609.3 cdpVA-15

F-2311.7 cdpVA-15

Proponent : William Andrews, Representing City of Richmond, Fire Marshal's office (william.andrews@richmondgov.com)

2015 International Fire Code

2311.7 Repair garages for vehicles fueled by lighter-than-air fuels. Lighter-than-air motor fuel systems shall not be worked on in a building, and no open flame or welding shall occur in that part of the building where a vehicle with lighter-than-air motor fuel systems is located, unless in compliance with the appropriate building code. Where equipped, ventilation systems shall be operated when working on vehicles inside, unless interlock system which is maintained per applicable code.

Repair garages for the conversion and repair of vehicles that use CNG, liquefied natural gas (LNG), hydrogen or other lighter-than-air motor fuels shall be in accordance with Sections 2311.7 through 2311.7.2.3 in addition to the other requirements of Section 2311.

- **Exceptions:**

1. Repair garages where work is not performed on the fuel system and is limited to exchange of parts and maintenance not requiring open flame or welding on the CNG-, LNG-, hydrogen- or other lighter-than-air-fueled motor vehicle.
2. Repair garages for hydrogen-fueled vehicles where work is not performed on the hydrogen storage tank and is limited to the exchange of parts and maintenance not requiring open flame or welding on the hydrogen-fueled vehicle. During the work, the entire hydrogen fuel system shall contain a quantity that is less than 200 cubic feet (5.6 m³) of hydrogen.

Reason: The 2000 IFC section 2210.1 and current state fire code section 2311.7 required repair garages to comply with this section and the IBC. Repair garages for vehicles that use more than one type of fuel shall comply with the applicable provisions of this section for each type of fuel used.

IFC commentary notes repair garages that install and repair lighter than air motor fuel systems must be equipped with proper ventilation and gas detection systems.

While Virginia fire officials cannot require building features of ventilation or gas detection system, and edit committee recommends removing building features from Chapter 23 and put in appendix for reference, the fire code should regulate safety of activity involving such hazard inside buildings approved for different risks.

As state plans to edit out most building code parts in the fire code, replacing with generic "maintain in accordance with the applicable building code", recommend state fire code change to forbid working on lighter than air fuel systems inside unless building approved for such by building code. Garages may continue to work on rest of vehicle, but not use open flame or weld when lighter than air fuel vehicle inside; unless comply with building code for such fuel leak hazard.

State editing committee proposing to delete all of section 2311.7 on topic except changing so reads "The mechanical ventilation system shall be maintained in accordance with the applicable

building code." My recent emails ask they amend proposals so fire code also requires USING ventilation system when working on vehicles, since system maintenance per building code not require when ventilation fan on. Fire code has exceptions about continuous fans, thus change effort to allow such.

Similar to fire code section 2311.7, 2015 IBC section 406.8.5 requires repair garages for vehicles fueled by non-odorous gases such as hydrogen or LNG to have gas detection system, which upon activation turns on alarm and ventilation, and turns off heaters. Example of need for garages to comply with specific building code features before work on lighter than air fuel systems inside.

Most existing repair garages built for working on gasoline and diesel fuel vehicles. Change in fuel type (lighter than air) changes occupancy hazard, thus needs appropriate building safety features.

When heavier than air vapors hazard, ignition sources such as flame heater are high. Adding lighter than air ignitable vapors needs proper changing building features. Such vehicles rare beyond fleets with own service garages, yet safety needed for general garages which might be unfamiliar with safety issues for different systems.

Cost Impact: Minimal impact on most, but substantial if facility to work on lighter than vehicles air fuel systems inside.

Public Comments (0)

Workgroup Recommendation

Workgroup 2 Recommendation Recommendation: Non-Consensus Final

Workgroup 2 Reason: Combined workgroup meeting 1, 2, 3, and 4

Board Decision

None

Board Decisions

- ☐ **Approved**
- ☐ **Approved with Modifications**
- ☐ **Carryover**
- ☐ **Disapproved**
- ☐ **None**

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