

Statewide Fire Prevention Code (SFPC) Sub-Workgroup

Third Meeting Summary

Date: November 21, 2025

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

Time: 10:00 AM

Attendees:

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

- **Jeff Brown** – Deputy Director of Building and Fire Regulation
- **Florin Moldovan** – State Building Codes Office Director
- **Chris Scott** – Code and Regulation Specialist, State Building Codes Office

Sub-Workgroup Members:

- **Billy Hux** – State Fire Marshal’s Office (SFMO), Virginia Department of Fire Programs (VDFP)
- **Mike O’Connor** – Virginia Propane Gas Association (VAPGA), Virginia Petroleum & Convenience Marketers Association (VPCMA)
- **Scott Pedowitz** - Apartment & Office Building Association of Metropolitan Washington (AOBA), Virginia Apartment and Management Association (VAMA), Sitting in for Steven Shapiro

Interested Parties:

- **Andrew Milliken** – Virginia Fire Services Board (VFSB), Codes and Standards Workgroup
- **Chris Barfield** – University of Virginia, Building Official’s Office
- **Christian Tucker** – Virginia Cable Telecommunications Association (VCTA)
- **Greg Cavalli** – State Fire Marshal’s Office (SFMO), Virginia Department of Fire Programs (VDFP)
- **John Miller** – Virginia Department of Forestry
- **Lee Stoermer** – Loudon County Fire Rescue Fire Marshal Office, Virginia Fire Services Board (VFSB), Codes and Standards Workgroup
- **Zach Eisenman** – Virginia Propane Gas Association (VAPGA)

Purpose

The Statewide Fire Prevention Code Sub-Workgroup (SFPC SWG) convened as part of Virginia’s 2024 code development cycle to review and discuss proposed changes to the state’s fire prevention code provisions. The meeting brought together a diverse group of stakeholders—including state agency staff, Fire Services members, advocacy groups, code

officials, industry representatives, and citizens—to collaboratively examine fire-related code change proposals prior to deliberations by the General Stakeholder Workgroup (GSW) and consideration by the Board of Housing and Community Development (Board).

Proposal Discussions

FP105.3.1-24 - DHCD Staff

Florin M provided an overview of the proposal which no longer requires localities to notify DHCD of employment of new technical assistants. In addition, the word "termination" is changed to "separation" to be more inclusive of any situation where the employee leaves the locality, including resignation, termination, or retirement.

No further discussion from the group occurred.

FP107.11-24 - Greg Cavalli and Billy Hux representing the Virginia Department of Fire Programs

Greg C provided an overview of the proposal which increases the SFMO permit fees for explosives, blasting agents, theatrical flame effects, fireworks, and annual compliance inspection fees.

Mike O asked DHCD staff for clarification if the Board instructed proposals not to increase costs on consumers.

Florin M commented that the code development process is open to anyone who wants to submit code change proposals and staff cannot prevent anyone from submitting what they believe to be beneficial for them, the Commonwealth as a whole, or otherwise. Each proposal is required to be provided with a Cost Impact statement indicating whether the proposal increases cost, decreases cost, or has a neutral impact. Ultimately the Board is going to make their own decisions. Further, he encouraged those in attendance to provide feedback to the proponents, as applicable.

Jeff B added that at one of the earlier meetings DHCD staff did mention that there were executive orders from the current administration to reduce regulatory requirements and costs and that there is a heightened focus on that to increase affordability. However, part of the regulatory reduction considers things that are necessary for health, safety, and welfare.

Mike O asked **Greg C** if the department had done any research and reached out to other stakeholder groups that might be impacted.

Greg C responded that no specific industries have been contacted but the research they have done was for a report that was mandated by the General Assembly.

Billy H clarified that their department is not 100 percent funded by the general fund. Mandated inspections such as dorms, hospitals and nursing homes are covered by the general fund, but the rest of the fire code inspections do not and there is a deficit in funding these inspections.

Mike O asked if the report could be shared with the group.

Greg C read the following statement from the Preface of the report in question:

“Virginia’s adopted budget (2025 Va. Acts Ch. 725) directed the Department of Fire Programs in cooperation with the State Fire Marshals Office, Virginia Fire Services Board, the Department of Housing and Community Development, and the Board of Housing and Community Development to conduct an assessment of the fees charged by the State Fire Marshals Office to conduct safety inspections. The assessment shall include a review of existing inspection fees, the number of inspections conducted by fee category, the cost of conducting each inspection, and the total revenue from each fee category to determine whether there is a need to adjust the fees based on the market cost of conducting inspections.”

Mike O asked DHCD staff if “moving on” to the next proposal meant that there was consensus for the proposal.

Florin M clarified for the group that official votes are not taken in the Sub-Workgroup meetings, but if anyone wishes to speak in opposition, or support, or wants to provide additional feedback to the proponent, that this is the forum to do so. **Florin M** emphasized the importance of attending the General Stakeholder Workgroup meeting and encouraged everyone to attend as that is when a recommendation from the stakeholders to the Board will be assigned for each proposal.

FP107.12-24 – Greg Cavalli and Billy Hux representing the Virginia Department of Fire Programs

Greg C provided an overview of the proposal which adds SFMO inspection fees for general fire code inspections, re-inspections, the retail sale of 1.4G Virginia Permissible Fireworks, and mobile food preparation vehicles.

Scott P expressed concerns with Item 8 “General fire code inspection” and Item 9 “Re-inspection”.

Mike O asked for clarification that the fee proposed for a general fire code inspection is a new fee.

Greg C responded that there are currently no fees for general fire code inspections. The VDFP had discussions with the Board and came to a consensus to narrow the definition of what general fire code inspections would incur a fee, and that information will be in a forthcoming report.

Billy H added that the number of general fire code inspections and re-inspections is approximately 1000 a year based on the previous fiscal year. The majority of those inspections are requested by a commercial occupancy for insurance purposes or some type of accreditation. The fee was based off the average of various fire marshal office fees throughout the state but did not include offices in northern Virginia.

Mike O asked for clarification that general fire code inspections are requested and not outreach on the part of the department.

Greg C read the new definition of *general fire code inspection* included in the forthcoming report:

“The category of general fire code inspections for the purposes of this recommendation would encompass any statewide fire prevention code inspection that is requested or conducted from a commercial occupancy where the state fire marshal is the authority having jurisdiction. The general fire code inspections that would be charged fees under this recommendation do not fall under General Assembly mandated inspections. Rather the fee would be charged for inspections only requested for commercial occupancy either by a business owner or a valid complaint.”

Mike O asked for clarification that this only applies to requested inspections and valid complaints.

Greg C confirmed that that is correct.

Andrew M asked if the report had been published.

Greg C explained that the report has not been published but will be presented to the VFSB on December 2nd. **Greg C** was prepared to answer any questions about the

research that was done to compile the report but stressed that the report cannot be shared because it has not yet been approved.

FP107.12.1-24 - Greg Cavalli and Billy Hux representing the Virginia Department of Fire Programs

Greg C provided an overview of the proposal which creates a new market-based fee adjustment process where the State Fire Marshall shall submit a report detailing inspection numbers to the Board prior to the start of each code development cycle.

Mike O questioned if this proposal makes the increase in the cost of the first two proposals necessary.

Greg C countered that the department came up with several options as directed by the General Assembly and the options are being presented as individual proposals so the Board can decide which plan makes the most sense.

Scott P was opposed and preferred that the fee structure remain part of the stakeholder process.

Florin M clarified for the group that changes to the proposals in cdpVA can no longer be made. However, floor modifications are allowed to be introduced during the General Stakeholder Workgroup meeting. To streamline discussions during the meeting, proponents are strongly encouraged to provide staff with a document showing the changes between the proposal in cdpVA and the version they would like to be considered as a floor modification, a few days ahead of the meeting. DHCD staff will work with proponents to put the changes in the correct format to show the differences between the original proposal and the revised proposal.

FP112.1-24 - Eric Mays

Florin M provided an overview of the proposal which intends to clarify the requirements pertaining to the timely filing of an appeal as it relates to the payment of appeal application fees.

No further discussion from the group occurred.

FP112.5(1)-24 – DHCD Staff on behalf of the State Building Code Technical Review Board (TRB)

Florin M provided an overview of the proposal which pairs language with the Virginia Construction Code and the Virginia Property Maintenance Code for who can appeal to the Local Board of Fire Prevention Code Appeals (LBFPCA).

No further discussion from the group occurred.

FP307.2-24 John Miller, representing Virginia Department of Forestry

John M provided an overview of the proposal which deletes the word “silvicultural” which is not a defined term and to not create another layer of oversight on a process that is already extensively regulated.

Andrew M noted that the VFSB Codes and Standards Committee supports the intent of the proposal but believes that an exception should be created for silvicultural burns instead of removing the word “silvicultural”. This section could be applied to other situations such as land clearing operations that wouldn’t fall under that category and prescribed burn regulation requirements are not mandatory.

John M indicated that he was fine with that approach and will collaborate offline with **Andrew M** in crafting the language for the suggested exception.

FP501.5-24 — Andrew Milliken

Andrew M provided an overview of the proposal which requires the Fire Code Official to approve the installation of fire service features mandated in Chapter 5 prior to the occupancy of any portion of a building, structure, or premises.

No further discussion from the group occurred.

FP904.2.2.1-24 – Lee Stoermer

Lee S provided an overview of the proposal which requires a copy of approved fire suppression plans to be available at all times the commercial hood and/or cooking appliances located under the hood are in operation.

Andrew M commented that the VFSB Codes and Standards Committee discussed the proposal and had two recommendations. Relocate to Section 904.13.5

“Operations and maintenance” and clarify that the requirements in the proposal speak to the owner or operator of the hood and not the hood itself.

Scott P expressed concern that this creates a violation if the plans aren’t on site but could be accessed.

FP1208(1)-24 – Andrew Milliken

Andrew M provided an overview of the proposal which builds on the proposal FP1208-24, which was recommended as “Consensus” at the October 3rd General Stakeholder Workgroup meeting, by providing additional clarifications and electrical power disconnect information.

Scott P not addressing the substance of the proposal, brought up that similar proposals dealing with electric vehicle charging were discussed at the last Energy Sub-Workgroup Meeting (held on November 14th) and there was preference to set up a workgroup to align all things dealing with electrical charging. The feeling from the Energy Sub-Workgroup meeting was that those proposals would become categorized as “Non-Consensus” at the conclusion of the next General Stakeholder Workgroup meeting.

Andrew M would be supportive of a workgroup if electric vehicle charging stations were not mandated everywhere. If they are mandated, there should be protection in place for them. He would like to see consensus on something like this, if possible, rather than grouping them with a larger item.

FP4106.1.3-24 – Gerry Maiatico

Florin M noted that the proposal was on the agenda for the last two SFPC Sub-Workgroup meetings, as well as the General Stakeholder Workgroup meetings where the proposal was carried over for additional potential collaboration amongst stakeholders and invited the group to share any updates or additional information they might have, which has not already been discussed at prior meetings.

Christian T emailed **Gerry M** on a separate proposal asking to exclude “telecommunications” from the proposed “utilities” definition.

Andrew M vocalized that VFSB Codes and Standards Committee would like to add “and determined to be a structure” after “utilities” in the exception to avoid a

loophole where a building can be provided with power and water and approved by the building official but also not considered to be a structure and would be exempt.

There have been discussions with the proponent but have not seen any changes.

Christian T asked for an update on the status of proposal FP601.2-24.

Florin M remarked that the proposal FP601.2-24 was discussed at the October 3rd General Stakeholder Workgroup meeting and received a recommendation of “Non-Consensus”.

FP6112-24 – Lee Stoermer

Lee S provided an overview of the proposal which introduces a new section for LP gas vendor requirements.

Zach E weighed in that there are a few clarifications that he will work on with **Lee S**, offline.

Andrew M noted that VFSB Codes and Standards Committee supported this proposal but would like to see a more refined definition of what a “marketer” is.

Assignments and Next Steps:

Florin M noted that staff will develop a summary of the meeting and will distribute it to the group once completed. Members of the Sub-Workgroup were encouraged to meet and continue discussions in furtherance of consensus building. Further, **Florin M** stated that staff are available to attend offline meetings and discussions if available and if requested by the members. Lastly, **Florin M** asked any proponents seeking to add floor modifications to notify staff no later than a few days before the final General Stakeholder Workgroup meeting so there would be time to prepare potential documentation.

Florin M expressed appreciation to the group for their time and efforts throughout the process and for their dedication towards improving Virginia’s codes and encouraged everyone to attend the General Stakeholder Workgroup meetings on December 11-12, 2025.