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Regulatory
Town Hall

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Exempt Action Proposed Regulation Agency Background Document

Agency name	Board of Housing and Community Development
Virginia Administrative Code (VAC) citation	<u>13 VAC 5-51</u>
Regulation title	Virginia Statewide Fire Prevention Code
Action title	Amend and Update Virginia Statewide Fire Prevention Code
Document preparation date	April 6, 2007

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, the *Virginia Register Form, Style, and Procedure Manual*, and Executive Orders 36 (06) and 58 (99).

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

The Virginia Statewide Fire Prevention Code (SFPC) is a regulation governing the maintenance of fire-safety features in existing buildings and structures and fire-safety related operations on property. The SFPC uses a nationally recognized model code produced by the International Code Council as a companion code to that used under the Virginia Uniform Statewide Building Code (13 VAC 5-63). Every three years, a new edition of the model code become available. At that time, the Board of Housing and Community Development initiates a regulatory action to incorporate the newer edition of the model code into the regulation through the publishing of a proposed regulation. Those affected by the regulation then review the proposed regulation to assure that the newest model code and its referenced standards reflect the minimum standards necessary for the fire safety of existing buildings and property. After the publishing of the proposed regulation, the board establishes a comment period for the acceptance of code change proposals to modify the model code or standards or any provisions of the entire regulation. Code change proposals are assimilated into a compilation document containing a staff evaluation of each proposal and the compilation document is reviewed by client groups during a second comment period and additional comment on each proposal is accepted. A public hearing is also held. The board then considers all comments on all proposals and develops a final regulation to complete the regulatory process.

Changes in the proposed regulation may be categorized into three groups. The first group are changes necessary to incorporate the newest edition of the nationally recognized model code into the regulation. These changes are located in § 13 VAC 5-51-31. The newest editions of the model code is the 2006 edition.

The second group of changes are general clarifications and correlation changes. These changes are simply to more closely match legislative language, to coordinate the application of the regulations with the other building and fire regulations of the board and to remove provisions in the existing SFPC which have been successfully added to the latest model code through the code changes process of the model code organization, thus eliminating the need for those changes in the SFPC. This group of changes is located in §§ 13 VAC 5-51-21, 13 VAC 5-51-41, 13 VAC 5-51-91, 13 VAC 5-51-130, 13 VAC 5-51-133.5, 13 VAC 5-51-134, 13 VAC 5-51-135, 13 VAC 5-51-145, 13 VAC 5-51-150 and 13 VAC 5-51-152.

The third group of changes consists of several changes which were considered by committees or by client groups to reach a degree of consensus enabling their inclusion in the proposed regulation. This group of changes is summarized below by section number.

13 VAC 5-51-81(O): Slight increase in fees charged by the State Fire Marshal's Office for permits for fireworks displays to more closely cover the costs associated with such permits.

13 VAC 5-51-154(B): Permitting additional time for existing stationary LP-Gas tanks to be recertified in accordance with established standards.

As discussed above in the description of the procedures the board uses to update its building and fire regulations, since all the regulations are interrelated and must be coordinated, the board will consider code change proposals on all provisions of this regulation during the comment period after the proposed regulations are published.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

The proposed regulations do not have an impact on the institution of the family and family stability.