



Exempt Action Final Regulation Agency Background Document

Agency name	Board of Housing and Community Development
Virginia Administrative Code (VAC) citation	<u>13 VAC5-63</u>
Regulation title	Virginia Uniform Statewide Building Code
Action title	Revisions to Uniform Statewide Building Code for 2012 Edition
Final agency action date	December 16, 2013
Document preparation date	February 26, 2014

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia 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, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

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 Uniform Statewide Building Code (USBC) is a regulation governing the construction, maintenance and rehabilitation of new and existing building and structures. The USBC uses nationally recognized model building codes and standards produced by the International Code Council and other standard-writing groups as the basis for the technical provisions of the regulation. Every three years, new editions of the model codes become available. At that time, the Board of Housing and Community Development initiates a regulatory action to incorporate the newest editions of the model codes 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 codes and standards reflect the minimum requirements necessary for buildings and structures. After the publishing of the proposed regulation, the board establishes a comment period for the acceptance of comments on proposed reflected in the proposed regulations and a public hearing is held. The board then considers comments on all proposals and develops a final regulation to complete the regulatory process.

The major substantive changes to the USBC in this regulatory action are summarized as follows:

13VAC5-63-30 K 6: A reference is added to the provisions in the International Energy Conservation Code and to the energy conservation provisions of the International Residential Code which clearly exempt buildings from compliance with the energy conservation provisions when such buildings do not use energy (solar systems, etc.) or are not heated or cooled.

13VAC5-63-80 B 11-13: Adds exemptions for having to obtain a building permit for small flagpoles, temporary ramps in residential occupancies and minor and ordinary work judged by the building official not to affect public health or safety.

13VAC5-63-210 C: Adds a new category of hazardous materials (permissible fireworks) to the table in the International Building Code in conjunction with adjusting the existing category of consumer fireworks to retain the long-standing exception for permitting the storage of up to 250 pounds of permissible fireworks in buildings containing a sprinkler system.

13VAC5-63-210 G: Adds a clarification to new classification categories for assisted living facilities (I-1, Condition 1 and Condition 2) to retain the existing requirement for such facilities to be permitted to house up to five persons needing any level of assistance in evacuating in an emergency.

13VAC5-63-210 S 14: Establishes minimum requirements for door widths on the main level of new homes for wheelchair access.

13VAC5-63-210 S 51: Expands the requirements for residential decks to specifically address the hazards associated with deck construction.

13VAC5-63-210 S 66-75: Modifies tables for wood frame construction in homes to reflect new stress values for southern yellow pine lumber developed by the lumber grading industry.

13VAC5-63-220 Y and Z: Adds new requirements addressing the use of holding cells in courthouses and police departments.

13VAC5-63-240 R: Adds new requirements for the installation of carbon monoxide detectors in new school buildings where fuel-fired appliances are used.

13VAC5-63-260 D: Adds requirements for ventilation and separation of smoking areas in restaurants to match requirements of the Virginia Safe Smoking Act.

13VAC5-63-264 A 20: Permits the use of approved sizing methodologies for sizing heating and cooling equipment in new homes in lieu of requiring the use of the Air Conditioning Contractors of America's Manual S.

13VAC5-63-267 C: Add an exception for having to test exterior wall components when the building contains a sprinkler system.

13VAC5-63-295: Modifies tables for wood frame construction in commercial buildings to reflect new stress values for southern yellow pine lumber developed by the lumber grading industry.

13VAC5-63-320 B 11: Recognizes a new standard for the backflow devices for new coffee machines which will prevent the discharge of water if backflow conditions exist.

13VAC5-63-330 C: Clarifies the requirements for protecting elevator machines rooms and control rooms and spaces from hazards incident to the elevator shaft for newer designed machine-room-less elevators.

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

The Board of Housing and Community Development approved final regulations for the Uniform Statewide Building Code on December 16, 2013.

Family impact

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

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