

## General Stakeholder Workgroup Meeting

April 12, 2022 9:00 a.m. – 11:38 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

### VCC Proposals

#### ATTENDEES:

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

**Cindy Davis:** *Deputy Director, Building and Fire Regulations (BFR)*

**Jeanette Campbell:** *Administrative Assistant, BFR*

**Jeff Brown:** *State Building Codes Office Director, State Building Codes Office (SBCO)*

**Richard Potts:** *Code Development and Technical Support Administrator, SBCO*

**Paul Messplay:** *Code and Regulation Specialist, SBCO*

**Florin Moldovan:** *Code and Regulation Specialist, SBCO*

**Brian Hilderbrand:** *Construction Regulation Administrator, SBCO*

**Thomas King:** *Code and Regulation Specialist, SBCO*

**Chad Lambert:** *Southwest Code and Regulation Specialist, SBCO*

#### Group Participants:

**Al Clark:**

**Andrew Milliken:** *Stafford County Fire and Rescue, Representing himself*

**Andrew Clark:** *Homebuilders Association of Virginia (HBAV)*

**Daniel Willham:** *Fairfax County; Chair of VBCOA Building Code Committee*

**Jane Kim:** *Fairfax County*

**Jason Laws:** *Virginia Building and Code Officials Association (VBCOA)*

**Joshua (Jay) Davis:** *Virginia Department of Fire Programs (VDFP), Virginia State Fire Marshal's Office*

**Kenney Payne:** *Representing himself*

**L. Hale:** *Virginia Fire Prevention Association (VFPA)*

**Lee Stoermer:** *Loudoun County Fire*

**Lyle Solla-Yates:** *Representing himself*

**Matt Benka:** *MDB Strategies*

**Michael Redifer:** *Virginia Elevator Safety Association (VAESA)*

**Rory Stolzenberg:** *Charlottesville Planning Commission*

**Steve Shapiro:** *Apartment and Office Building Association (AOBA); Virginia Apartment Management Association (VAMA)*

**William Abraham**

## **Welcome:**

Jeff Brown: Welcomed the participants to the VCC Workgroup meeting and thanked everyone for joining. There are 18 proposals today related to the Virginia Construction Code (VCC), Industrialized Buildings Safety Regulations (IBSR) and the Virginia Amusement Device Regulations (VADR). The meeting is being recorded. Paul and Florin from DHCD are on the call can assist with any technical issues.

Paul Messplay: Gave a brief tutorial about how to use the Adobe Connect meeting space features.

Jeff: Gave an overview of the 2021 Code Development Cycle, using a slideshow presentation attached as part of the meeting documents. Discussion covered the following points:

- DHCD staff were identified.
- The 2021 code development cycle and Study Group, Sub-Workgroup and General Workgroup meeting types and dates.
- Overview of the cdpVA and DHCD websites, including links to documents used during the cycle.
- Review of General Workgroup meeting agendas, meeting dates and voting processes.
- The main purpose of the General Workgroup meetings is to vote on the proposals in the agenda. The following voting options were reviewed: consensus for approval, approved as modified, consensus for disapproval, non-consensus, carry over, and withdrawn.
- May 1<sup>st</sup> is the final cutoff date for all proposals to be submitted.
- Meeting summaries, proposals and voting results will be prepared and submitted to the Board of Housing and Community Development for final review and decision.
- Agendas with proposals are sent out a few weeks prior to the meetings. It is recommended that interested parties review and discuss proposals with proponents prior to meetings.

Participants introduced themselves, and who they were representing.

## **Proposals:**

### **AD20-21**

Jeff: Submitted by the Amusement Device Technical Advisory Committee (ADTAC). When serious injury or death occurs, reporting is required. ASTM F747 provides a definition of 'serious injury', so that definition was copied into this section for clarity and consistency of application.

Kenny Payne: When terms like 'significant' are used, it can become an issue of debate. Is the word 'significant' really needed in the definition? Would it be better without that word? He understands however that the definition is copied from the ASTM standard.

Jeff: Asked Kenny to confirm that he was not speaking in opposition. He was not. With no further discussion, this will be marked as Consensus for Approval.

### **AD30-21**

Jeff: Submitted by ADTAC. This proposal is intended to clarify that non-mechanized playground equipment is not an amusement device. Even if it is mechanized, it may or may not be an amusement device. The definition of amusement device should be consulted to make the determination. The phrase "where no admission fee is charged..." was stricken, knowing that there are some parks that have a small playground set, with a fee to enter the park. This is an effort to clarify that this type of area does not qualify as an amusement device. There is another proposal submitted by ADTAC to the USBC, which clarifies that these devices, if determined to be amusement devices, should be regulated under the VADR, not under the USBC.

Steve Shapiro: ADTAC and Ron Clements both have proposals amending this exemption in Section 102.3 on the agenda. The one Ron put forth, B102.3(1), may affect this one. He is wondering if they should review all 3 at the same time.

Jeff: Thinks this one in particular can stand alone. B102.3(2) from ADTAC, which modifies the USBC, and

Ron's B102.3(1) proposal may complement each other and work together. In B102.3(2), ADTAC clarifies the exemption of playground equipment and in B102.3(1), Ron says that even if the equipment is exempted, it should still comply with provisions in Chapter 4 for children's play equipment. Jeff asked if Ron was on the call and if he would like to discuss all three proposals together.

Jason Laws: Joined the group on behalf of Ron, who was unable to attend. He thought it would be acceptable to bring in the B102 proposals now and discuss all three together.

### **B102.3(2)-21**

Jeff: This proposal submitted by ADTAC modifies the USBC exemption #7 to say that even if admission is charged, it doesn't change the nature of the device. Playground equipment should be exempt from USBC, whether it's mechanized or not. This compliments the proposed changes in AD30-21; if it's playground equipment that is not mechanized, it would be exempt, and if it is mechanized, it may be regulated under the VADR if it fits the VADR definition of an amusement device.

### **B102.3(1)-21**

Jeff: This proposal was submitted by Ron Clements to modify the same exception, #7 in the USBC, to point to VCC Chapter 4 if the play structures are located inside buildings. Chapter 4 provisions don't necessarily give prescriptive construction requirements for the equipment. They deal more with flame spread and how it impacts the building.

Jason: VCC Chapter 4 tends to get a lot of proposals, so he didn't want to have to update the section number each time, Chapter 4 was referenced. The specific requirements are currently in Section 424.

Kenny: Chapter 4 applies to play structures located inside buildings. Technically, buildings have roofs. What if a play structure is installed inside a structure that doesn't have a roof?

Steve: If all 3 are sent through, would the B102 proposals be coordinated, and would the "non-mechanized" words be struck?

Jeff: Spoke with Ron prior to this meeting and he said that the ADTAC modifications would not affect what he wanted to accomplish regarding the exemption being in compliance with the safety provisions in Chapter 4. They would both be worked into exception #7 together.

Jason: Yes, the intent was to make sure that play structures were enforced under Chapter 4, and he had no issue with ADTAC's language modification in the section.

Kenny: An example of the question that he raised earlier about play structures inside of other structures without roofs is McDonald's. If the structures are technically not inside the buildings, would they be exempt?

Jeff: Section 424 says "children's play structures installed in all occupancies".

Jason: Is comfortable with changing language to match Chapter 4.

Jeff: It actually says in the IBC "All occupancies covered by this code". Is that language better?

Jason: That sounds good.

Jeff: Consensus for Approval as Modified. Item #7 to say "play structures installed inside all occupancies covered by this code shall be subject to the play structure section in VCC Chapter 4"

Jeff: Asked for any opposition to AD30, B102.3(1) and B102.3(2). With no further discussion, the proposals were decided as follows:

- AD30-Consensus for Approval
- B102.3(2)-Consensus for Approval
- B102.3(1)-Consensus for Approval as Modified

### **AD40-21**

Jeff: Proposal submitted by ADTAC. This proposal updates the reference standards listed in the VADR. Old

editions are stricken and newest editions are added. This is a standard process done each cycle. These are all updates, nothing new was added.

Steve: Curious about why he doesn't see a reason statement.

Jeff: Agrees. It could be that it was pulled from cdpVA without that section. DHCD staff went back and looked on cdpVA, and there was no reason statement in this case. The reason is to update standards to latest edition, which will be added to cdpVA.

Kenny: Advised that the group move forward to Consensus for Approval, provided the reason statement, resiliency statement and cost impact are added by DHCD staff after the meeting.

Jeff: Asked the group and there was no opposition. Consensus for Approval with the understanding that the reason statement, etc. would be added to the proposal in cdpVA by DHCD staff.

## **IB20-21**

Jeff: DHCD staff proposed this editorial language cleanup. There was a code change in the 2018 IBSR related to shipping containers used in construction. The language sounded like DHCD was obligated to approve all intermodal shipping containers used as building components, so the wording was changed in paragraph D from "must" to "may" and from "will" to "may". With no further discussion, this was marked as Consensus for Approval.

## **IB60-21**

Jeff: DHCD staff proposed this editorial language cleanup. There was a misspelling and a complicated sentence that were changed.

Kenny: Asked about the word "therefore". Should that be thereof, or no word at all? He doesn't think the word therefore is necessary.

{Break 10:00-10:05}

Jeff: Agreed with Kenny, that the word "therefore" is not needed.

Steve: Also agreed with Kenny, that the word "therefore" is not needed.

Jeff: Seeing no further discussion, the word "therefore" will be stricken. The proposal will be marked Consensus for Approval as Modified.

## **IB115-21**

Jeff: This proposal from the DHCD staff is related to handling a change of occupancy classification in an industrialized building. Under the current regulations, if someone has an industrialized building that's registered, and wants to change its occupancy, they must hire a state-approved compliance assurance agency to inspect and recertify the building to the changed occupancy and have the data plate updated. It would also be reasonable for an existing building installed in a locality to be approved for a change of occupancy by the local building official under the USBC, and this proposal allows for that option. In this case, since it's a registered industrialized building, a change of occupancy would make it unregistered. The seal would be removed and it would be treated like an existing structure.

Steve: Is not a fan of permissive language in the code. It says "may be changed in accordance with one of the following", which could also mean that it may not be changed in accordance with one of the following. He suggests changing it from "may" to "must". He would also suggest changing all the "may"s to "shall"s in the underlined section.

Kenny: Agrees with Steve. When the goal is to give options, use "may", when the goal is to direct, use "shall".

Jeff: The intent is to provide an option to the building official in #2. In some scenarios, a code official may not be comfortable with taking this route in a registered building. Changing the first part works, since there are only 2 options as listed, but the building official can agree with one or the other.

Kenny: The charging statement would take care of the concern. If they chose one, they wouldn't have to be concerned with the other.

Jeff: How about "A change of occupancy classification in a registered industrialized building shall be in accordance with one of the following"

Steve: Suggested "when the occupancy classification of a registered industrialized building is proposed to be changed, the change of occupancy must be in accordance with one of the following".

Kenny: Has heard from building officials in the past that they have an issue with the word "proposed" in the Existing Building Code in Chapter 1 and perhaps also in Chapter 1 of the IBC. They are concerned that if something is proposed, it's not really changed. Would wording like this work, "When the occupancy classification of a registered industrialized building is changed..."? This means it's being done, not proposed to be done.

Jeff: Agrees. New statement suggested: "When the occupancy classification of a registered industrialized building is changed, the change of occupancy shall be in accordance with one of the following". With no further discussion, Consensus for Approval as Modified.

Kenny: Will the "may"s in #2 become "shall"s?

Jeff: The intent in #2 is to give the official an option. If "shall" is used, will that still be optional for the building officials? Are there any other thoughts about this?

Steve: Thinks "may" should be changed to "shall" in option #2. If option #1 is selected, there's no problem, but if #2 is chosen, it should be "shall".

Jeff: He agrees that the first "may" in option #2 should be a "shall". The second "may" in #2 still seems to be appropriate, because if it's a simple change of occupancy, they may not need full plans or an RDP or to hire a third party inspector. Any thoughts on that?

Steve: Agreed. Change 1<sup>st</sup> "may" to "shall" and leave the second "may" in option #2.

Jeff: Any other discussion? Consensus for Approval as Modified changing the charging statement and the first "may" to "shall" in option #2.

## **IB120-21**

Jeff: This is a DHCD staff proposal for the IBSR, intended to clarify that the local building official has the option to approve the installation of an unregistered industrialized building without needing a third party compliance agency. If there's an unregistered building in a locality, the official would be able to use the USBC and treat it like any other structure. It would still remain an unregistered building, unless option 1 is selected.

Steve: In #1 the word "may" should be "shall". In #2, the first "may" should be "shall". The second "may" in #2 is ok.

Kenny: Agrees. The charging statement says pick one, then in the selections, there should be direction given using the word "shall". In #1 the word "may" should be "shall". In #2, the first "may" should be "shall".

Jeff: Concerned about #2. If it's non-compliant, then building official shall approve...it seems like it needs more work.

Kenny: What was the language in #2 of the previous proposal? Actually, it looks like it needs work.

Jeff: This one will be Carried Over until June, and brought back with revisions.

Kenny: Should #1 say registered and #2 say unregistered "shall be in accordance" and strike building official?

Jeff: That might work.

## **IB140-21**

Jeff: DHCD staff proposal to IBSR. Editorial cleanup to clarify the paragraph. Any questions or comments? Seeing none, Consensus for Approval.

### **IB160-21**

Jeff: DHCD staff proposal. There are two new offsite construction standards that were developed by ICC. The 1200 standard deals with planning and design related to modular and factory-built buildings. The 1205 standard deals with the administrative aspects and the approval process for offsite construction. These compliment and work together with the IBC, covering unique features of offsite construction that aren't otherwise in the building codes. Jeff was on the ICC standards development committee and he thinks they will complement the way things are done now in Virginia's IB program. There was an additional amendment made to clarify the order of precedence for any potential conflicts between current IBSR and the incorporated standards. A statement was added to say that, where there are conflicts, the IBSR regulations supersede the new standards. Questions or comments? Seeing none, this is marked Consensus for Approval.

### **B110.9-21**

Jeff: This proposal is from Ron Clements. Since Ron was not in the meeting, Jeff asked if Jason wanted to present it to the group.

Jason: This is adding permission to cancel a permit if requested by the permit holder or building owner. The building also can't be left in an unsafe state.

Jeff: With no further discussion, this will be marked as Consensus for Approval.

Jeff: Paused to ask anyone new in the meeting to identify themselves and who they represent if they have not had a chance to do so.

Rory Stolzenberg: Charlottesville Planning Commission.

### **B313.3-21**

Jeff: DHCD staff proposal to update the code language to reflect a change related to the licensing authority for Family Day Homes. Effective July 1, 2021, oversight of Family Day Homes was transferred from the Department of Social Services to the Department of Education. This changed the reference from DSS to DOE. With no additional comments or discussion provided by the group, this proposal was marked as Consensus for Approval.

### **B407.4-21**

Dan Willham: This fixes a broken link to the evacuation plan requirements in Section 1002.2, which was deleted by Virginia. He's now bringing in the requirement from the IFC.

Kenny: One of his code change proposals in a previous cycle was to delete such plans from the IBC, since they were more of a fire code requirement under the IFC. He referred to the IFC, but didn't say it was required in the IBC. The way this language reads, is that it's now a requirement in the IBC to comply with the IFC, instead of being required under the IFC. He would propose language that says something like "the fire safety and evacuation plans provided in accordance with the IFC shall identify the..." How is that language? It seems to still accomplish the goal of fixing the broken link without sounding like it's required under the IBC. For instance, sometimes in the building code, it says "where provided", meaning that it's not required to be provided, but when it happens, this is how to handle it. The way you have it says "shall be provided" under the IBC. Whereas saying "plans provided in accordance with the IFC" means it's required under the IFC. There's a nuance that's important there. As an architect, he doesn't provide fire safety and evacuation plans, but the building needs to be designed in accordance with the IBC. The language here sounds like the plans are required under the IBC and would need to be provided as part of the building design.

Dan: Is there a word added that he proposes to strike?

Kenny: It should read "The fire safety and evacuation plans provided in accordance with the IFC, shall

identify...” The stricken words “The fire” and “provided in accordance with” should be kept.

Dan: Virginia doesn’t enforce the IFC unless it’s specifically referenced, what does it say in the SFPC?

Kenny: Not sure, but what he suggests is done regularly.

Dan: He understands. He would have to consider how to say that.

Kenny: Are there any fire people on the call to speak to where the link exists in the IFC?

Joshua Davis: Can see the desire to point to the IFC. The fire code requires some type of evacuation plan. He thinks there should be more discussion and rewording. He would like to assist Dan with that. He sees the significance and benefit of not making it the responsibility of the architect, and putting back to building official and fire official.

Kenny: He could work with Dan and Joshua

Dan: Agreed, and asked for Joshua’s email address.

Jeff: This will be marked Carried Over for editing to be brought back in June.

### **B706.1-21**

Jeff: This is a proposal from Ron Clements.

Jason: This is an attempt to fix a broken code change, which removed “Each portion of a building separated by one or more fire walls shall be considered a separate building”. When that was removed, some other areas were affected; Chapter 9 specifically. This proposal also adds the sentence “Equipment and systems are permitted to serve multiple attached buildings on the same lot where separated by one or more fire walls.” This clarifies that one sprinkler system, for example, can be used to serve both sides of the fire wall.

Dan: This did create a problem in the IBC and also created broken sections in Chapter 10 for egress. What does it mean to egress a building and not re-enter it? Chapter 10 has specific provisions that an exit shall not re-enter a building without a fire wall, so without a fire wall, where does it end? There’s no definition for the end of a building unless you’re outside. There’s also a provision in Chapter 10 that states that every building should have at least one exterior exit door. There can be buildings inside of buildings without exit doors. This is hazardous for fire fighters. He does think that this proposal helps to clarify those things.

Andrew Milliken: The Fire Service Board’s Codes and Standards Sub-Committee supports this change.

Kenny: The language in 503.1 is still there about how a fire wall is used for determining the height and area. This proposal helps to determine the other technical provisions in the code.

Jeff: Asked Dan to clarify if he supports this proposal and if his comments were about how the proposal fixes other broken areas.

Dan: Yes, that is correct.

Jeff: With no other discussion offered, this is marked as Consensus for Approval.

### **B1006.3.4-21**

Lyle Solla-Yates: Is Chair of the Charlottesville Planning Commission, but is representing himself. Charlottesville is finishing a 5 year planning process, which allows more affordable housing in the city. Staircase requirements in the building code are important to affordability and sustainability. He shared an excerpt from an article which was not provided prior to the meeting. He put a link to the article in the chat: [https://www.larchlab.com/wp-content/uploads/2022/01/Eliason\\_CoV-Point-Access-Blocks-report\\_v1.2.pdf](https://www.larchlab.com/wp-content/uploads/2022/01/Eliason_CoV-Point-Access-Blocks-report_v1.2.pdf) The article said, in part, that compact single stair buildings or point access blocks provide sufficient safe egress, while offering affordable, attractive and energy efficient building development.

Steve: He is opposed to having a 6 story building with only one exit for safety reasons.

Kenny: Does this need to be correlated with any other building code provisions? I.e. the difference between R2 and R5, height and area tables, types of construction, etc.

Rory: He encourages adoption of this proposal, which provides for smaller footprint, family friendly and energy efficient buildings. The two stairway requirement incentivizes long, double loaded corridors,

which then incentivizes larger inter-connected buildings with smaller apartments with windows on only one side. Residential buildings with only 4 units per floor would enable point access block configurations and smaller footprint buildings with more fire walls between them. There would also be more cross ventilation and natural lighting available. Single stair buildings have been proven safe in Seattle, New York City and across the world. He sent a link to the Seattle building code section 1006.3 in the chat: <https://www.seattle.gov/documents/Departments/SDCI/Codes/SeattleBuildingCode/2015SBCCChapter10.pdf#page=8>

Andrew Milliken: He opposes this proposal. With one exit path, the impact is extremely detrimental to occupant egress and fire fighters. He strongly feels that this change needs to be vetted at the national level, and not having Virginia stepping out until it has been properly vetted.

Joshua: Served for 26 years in the Charlottesville fire department and he was the Fire Marshal in his last 5 years there. He has been with the state now for 2 years. He is very well versed in the construction planning process and has been part of the discussion for affordable housing needs. He offered to work with the proponents to edit the wording and make it more agreeable to all. With some of the designs that Charlottesville has worked on, the concern was to not grab a little piece of language and forget that there's a vast amount of code behind it. Multiple things go into the design which would allow for a single stairwell. It's not something that can't be considered. Some states have made alterations to accommodate that desire. He again offered to help edit the proposal to allow for lower construction costs without creating a hazardous situation. They would need to address a lot of construction concerns like fire walls, sprinklers and alarm systems from the IBC and the IFC.

Dan: Agrees with Steve's concern. Exits are very important. The higher the building, the less safe the building is in general, especially when trying to egress from it. He appreciates the link to the Seattle code. There are a lot of requirements in there, like pressurized stairwells, no connection to interior stairways, door swings, etc. which are safety requirements that are not provided in this proposal. New York City limits the type of construction to Type 1 or 2 and limits the area per floor to 2,500 square feet with a slew of requirements, or in the case of 6 stories, 2,000 square feet per floor. None of those requirements are in this proposal. He also agrees that it should be handled at the international level.

Andrew C: Would like to be involved in conversations with Josh and proponents. Other states have explored this and it's also being done outside of the United States. It does warrant more discussion.

Lyle: It all seems to make sense. He would be happy to talk and work on it more.

Kenny: Given the magnitude of the potential impact of changes through all codes, would DHCD create a Sub-Workgroup to address?

Jeff: DHCD can help coordinate a discussion but there isn't enough time left in this cycle for a Sub-Workgroup or committee. DHCD can collect and distribute contact information for anyone wishing to discuss further, to help the proponent convene a meeting. It's up to the proponents, if they want DHCD to help in that way. He asked Lyle what he wanted to do.

Lyle: Asked DHCD if other code changes would be necessary, they said no. The reply was that there can be other code changes, but this one could stand alone. He's happy to carry this over to continue working on it and dialogue with others to help refine the proposal.

Steve: Wants to be part of the discussion. He thinks there would be many other codes that would be affected.

Jeff: Clarified that DHCD did not opine on whether other code sections should be changed. Lyle asked DHCD if there was any conflict with other code provisions. In our cursory review, there didn't appear to be any direct technical conflicts or technical issues with the changes proposed. However, other code sections should be considered for coordination or potential impacts.

Kenny: In his opinion, based on his experience with the code development process. If this goes up to 6 stories, he thinks there will be non-consensus. Historically when proposals are non-consensus, there's less than a 50/50 chance that they will be approved. He suggests



taking baby steps, and only going up to 4 floors to start.

Jeff: If anyone wants to participate in the continued discussions before the next General Workgroup meeting, provide your name and email in the chat. DHCD will assist Lyle with setting up discussions. This item will be Carried Over.

{Break: 11:12 – 11:17}

### **B1010.2.8-21**

Jeff: This is a proposal that was developed as part of the Active Shooter and Hostile Threats in Public Buildings Study Group. In the 2018 cycle, the General Assembly directed DHCD to develop regulations to allow barricade devices in school buildings for active shooter events. A Study Group was formed and a code change proposal was developed to layout a compliance path in both the USBC and SFPC for anyone who wanted to install these devices in schools. The proposal laid the framework for minimum safety criteria, training requirements and coordination between officials and first responders. In 2020, the General Assembly directed DHCD to form a Study Group to develop a code change proposal that would allow these devices in public buildings, which is where this proposal came from. This proposal takes what was laid out in the USBC and SFPC for schools in the last cycle, and added public buildings as another occupancy where ESS hardware would be allowed. The proposal also defines public buildings. Some Study Group members supported this and are listed as proponents, while other members didn't support it. Some who are not proponents of barricade devices in general did support the proposal, since devices could already be added and approved by officials using the code modification process without clear guidance otherwise. They thought that this would provide at least minimum standards and consistency in application if someone chooses to install them.

Dan: The wording in section 1103.2.15 seems incomplete, like there's one or more words missing. It says when emergency supplemental hardware is deployed in accordance with section 1010.2.8, is not required. Does it mean that it's not required to comply with the chapter?

Jeff: Thinks that the subsection that is being amended in this proposal is part of a list of things that wouldn't apply (taken out of context from another section not shown in the proposal).

Kenny: 1103.2 is the charging statement and 1103.2.15 is one of a list of items. Also, there's need to correct another word in 1031.11.

Jeff: Kenny is correct about the list. The other word will be fixed.

Dan: Still thinks "when" sounds out of place.

Jeff: Explained that if the device isn't active, there is no exception. When the device is active, there is an exemption from accessibility compliance.

Dan: If it said "the deployment" that would make sense. But, saying "when" followed by another "when" isn't a good sentence.

Jeff: If it said "supplemental hardware, when deployed..."

Dan: He suggests "the deployment of ESH during an active shooter event..."

Jeff: Can't speak on behalf of the Study Group to make the change. It will be marked as Carried Over for the Study Group to revisit the proposed language.

### **B1026.2-21**

Jane Kim: This proposal is making a correction to something proposed in 2018 that was approved. This is proposing a change in the wording to ensure that necessary protection is provided for the refuge compartments.

Dan: Thinks the correction proposed does better align with the intent of the code.

Jeff: With no other discussion, this is marked as Consensus for Approval.

### **Next Steps:**

Jeff: There will be more Workgroup meetings this week and next week. When all the meetings are wrapped up, DHCD will provide a summary for all of the meetings, posted in cdpVA. The decisions will also be updated in cdpVA. The proposals that are decided on will go to the BHCD in September. The final cutoff to get any remaining proposals or changes into cdpVA is May 1<sup>st</sup>. The last Workgroup meetings will be held June 7-15.

## General Stakeholder Workgroup Meeting

April 13, 2022 9:00 a.m. – 9:38 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

### VEBC Proposals

#### ATTENDEES:

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

**Cindy Davis:** *Deputy Director, Building and Fire Regulations (BFR)*

**Jeanette Campbell:** *Administrative Assistant, BFR*

**Jeff Brown:** *State Building Codes Office Director, State Building Codes Office (SBCO)*

**Richard Potts:** *Code Development and Technical Support Administrator, SBCO*

**Paul Messplay:** *Code and Regulation Specialist, SBCO*

**Florin Moldovan:** *Code and Regulation Specialist, SBCO*

**Kyle Flanders:** *Senior Policy Analyst, Policy and Legislative Office*

#### Group Participants:

**Andrew Grigsby:** *Viridiant*

**Daniel Willham:** *Fairfax County; Chair of VBCOA Building Code Committee*

**Jason Laws:** *Virginia Building and Code Officials Association (VBCOA)*

**Kenney Payne:** *Representing himself*

**Scott Lang:** *Honeywell Fire*

**Steve Shapiro:** *Apartment and Office Building Association (AOBA), Virginia Apartment Management Association (VAMA)*

## **Welcome:**

Jeff Brown: Welcomed the participants to the VEBC meeting. There were originally 6 proposals on today's agenda, however EB502.1.1 was already discussed at a prior meeting and will not be discussed today.

Jeff: Asked the participants if they wanted him to review the DHCD presentation about the 2021 Code Change Cycle, or the Adobe Connect meeting space tutorial.

The group members voted thumbs down, as they are already familiar with those things.

Jeff: Reminded the group that the meeting is being recorded, and asked members to speak clearly.

## **Proposals:**

### **EB1102-21**

Scott Lang: Will carry over this proposal. He is hoping to get guidance from the SFPC Sub-Workgroup. This proposal was made for the 2024 IFC and was accepted. It's a little difficult to figure out where to put this in the VEBC. The concern is for older storage systems, and if they have been reviewed in light of the latest standards.

Steve: He is in opposition to this due to the retroactive nature of the proposal.

Jeff: It is a proposal to VEBC, however several other Energy Storage System related proposals are being worked on by the SFPC Sub-Workgroup and other groups. Therefore, it makes sense to have this proposal discussed by the SFPC Sub-Workgroup along with the others so they can be coordinated. This will be marked Carried Over.

### **EB102.2.1-21**

Jeff: This is from Ron Clements, who is not present in the meeting. He opened the floor for discussion.

Steve: Supports this proposal.

Kenney Payne: Asked Jeff if he wanted someone to speak on behalf of Ron Clements.

Jeff: He was wondering if anyone on the call was familiar with this, or if Ron asked someone to speak on his behalf in regards to the proposal.

Kenney: Allison Cook was supposed to be on the call today to introduce the proposal as a VBCOA/VEBC Committee representative. Ron does say often that he stands behind the reason statement. This is intended to clean up the requirements for change of occupancy. Changing to an I-2 or I-3 occupancy doesn't fall under the VEBC. If there's an existing I-2 or I-3, and a change of occupancy is being made, the VEBC does apply. The VBCOA VEBC Committee supported this proposal.

Jeff: Seeing no other discussion, this proposal is marked Consensus for Approval.

### **EB603.6-21**

Jeff: This is also a proposal from Ron Clements. He opened up the floor for discussion.

Kenney: This proposal was made to delete something that would never happen. For one, an alteration that increases occupant load without a change of occupancy would not happen. Secondly, any increase in sanitation would trigger a change of occupancy by definition. This is already an exception under the plumbing provisions in section 710.1. His reasoning to delete this section was that it would be contradictory to 710.1.

Jeff: Asked Kenney to clarify that he is not in opposition to the proposal.

Kenney: While he thinks that Virginia doesn't want the VEBC to be more stringent than the I-code, he's not in opposition to removing the section in the VEBC. The VBCOA VEBC committee did support this proposal.

Jeff: With no opposition or further discussion, this is marked as Consensus for Approval.

### **EB701.1-21**

Jeff: Another proposal from Ron Clements. After it was submitted, he did notify DHCD of a modification, which was brought up on the screen. There was one word in the exception added "are NOT proposed to be". Jeff asked Jason if he would like to present this on behalf of Ron.

Jason Laws: Is not prepared to speak on it on behalf of Ron at this time.

Kenney: This is to clarify the intent of the code. There's no real change, other than being clearer and less wordy. In addition, Group R-5 has been included with groups H and I in being outside the scope of Chapter 14 since this

chapter was not set up for structures designed per the IRC.

Andrew Grigsby: It calls out evaluation, fire safety, means of egress and other particulars. When and where do aspects of the energy code apply in VEBC vs. VCC? Are all the energy codes fully incorporated in the VCC?

Kenney: Chapter 7 is all about change of occupancy. There are no energy requirements for change of occupancy as far as he knows. Chapter 14 is a compliance alternative that evaluates buildings for compliance with the change of occupancy requirements based on provisions such as fire safety and means of egress and others, but it has never had an energy evaluation. If a school has changed to a business office, the Chapter 14 alternative can be used to look for a passing grade on the change of occupancy. The code isn't meant to do anything else. All that 701 does is say that Chapter 7 can be used or Chapter 14 can be used instead. There are no specific energy requirements in Chapter 7 of the VEBC or in the i-codes. Change of occupancy itself doesn't trigger energy requirements, but any alterations as part of the change in occupancy might trigger energy requirements. If there are any energy requirements in the VEBC, they would be followed there. If you're in the VCC, you would have to do what they require. All energy requirements were deleted from the IECC and put into the VEBC during the last code cycle.

Andrew: Would those provisions mirror what's in the current VCC, even if that's not where the text is?

Kenney: In VEBC energy requirements are a caveat. There isn't a trigger to go to the i-codes unless there's a threshold met in the VEBC.

Jeff: Asked if there was any opposition with the proposal, including the late modification of adding the word "not" in the exception.

Kenney: The reason for saying "not" in the exception is because in Chapter 14, I and H occupancies are not included, and there's no table to refer to for I, H or R5 structures.

Jeff: With no further discussion, this will be marked Consensus for Approval as Modified.

#### **EB707.2-21**

Jeff: This proposal is also from Ron Clements. He opened the room for discussion.

Kenney: This is another situation where the exception in question would never happen, so he proposed to delete it to clean up the code. The table only goes to 2 hours, and it would never be exceeded.

Jeff: With no further discussion, it will be marked Consensus for Approval.

#### **Next Steps:**

Jeff: Thanked everyone for their participation. There are a few more General Workgroup meetings being held in the next few days. The decisions for proposals discussed thus far will be updated in cdpVA, however, there's a bug in cdpVA that's being fixed now to accommodate those updates. The last Workgroup meetings will be in June and the cutoff to submit proposals is May 1st.

Steve: Expressed his approval with the virtual Workgroup meetings, especially as they are shorter, and they do not have to waste time driving.

Jeff: Thanked him for the comment.

Kenney: Let the group know that the VBCOA VEBC committee approved all of these proposals, except for EB1102-21, which they thought should be located somewhere else.

## General Stakeholder Workgroup Meeting

April 14, 2022 9:00 a.m. – 11:38 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

### Energy Proposals

#### ATTENDEES:

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

**Cindy Davis:** *Deputy Director, Building and Fire Regulations (BFR)*

**Jeanette Campbell:** *Administrative Assistant, BFR*

**Jeff Brown:** *State Building Codes Office Director, State Building Codes Office (SBCO)*

**Richard Potts:** *Code Development and Technical Support Administrator, SBCO*

**Paul Messplay:** *Code and Regulation Specialist, SBCO*

**Florin Moldovan:** *Code and Regulation Specialist, SBCO*

#### Group Participants:

**Andrew Clark:** *Home Builders Association of Virginia*

**Ben Rabe:** *New Buildings Institute (NBI)*

**Daniel (Dan) Willham:** *Fairfax County, Chair of VBCOA Building Code Committee*

**Dawn Oleksy:** *Climate Action Program & Operations Supervisor, City of Richmond*

**Eric Lacey:** *Responsible Energy Codes Alliance Chairman*

**Jack Avis:** *Avis Construction*

**Jack Dyer:** *Virginia Contractor Procurement Alliance (VCPA)*

**KC Bleile:** *Viridiant*

**Laura Baker:** *Responsible Energy Codes Alliance*

**Linda Baskerville:** *Arlington County Energy Plan Review*

**Matt Benka:** *VCPA and MDB Strategies*

**Michael (Mike) O'Connor:** *Virginia Petroleum Marketers and Convenience Stores; Virginia Propane Gas Association*

**Michael Redifer:** *Virginia Elevator Safety Association (VAESA)*

**Mike Hamilton:** *Arlington County*

**Ross Shearer:** *Vienna, Virginia resident*

**Steve Shapiro:** *Apartment and Office Building Association (AOBA), Virginia Apartment Management Association (VAMA)*

**William (Bill) Penniman:** *Sierra Club Virginia chapter*

## **Welcome:**

Jeff Brown: Welcomed the participants to the Energy Workgroup meeting. He noted that the meeting is being recorded.

Paul Messplay: Gave a brief tutorial about how to use the Adobe Connect meeting space features.

Jeff: Gave an overview of the 2021 Code Development Cycle, using a slideshow presentation attached as part of the meeting documents. Discussion covered the following points:

- DHCD staff were identified.
- The 2021 code development cycle and Study Group, Sub-Workgroup and General Workgroup meeting types and dates.
- Overview of the cdpVA and DHCD websites, including links to documents used during the cycle.
- Review of General Workgroup meeting agendas, meeting dates and voting processes.
- The main purpose of the General Workgroup meetings is to vote on the proposals in the agenda. The following voting options were reviewed: consensus for approval, approved as modified, consensus for disapproval, non-consensus, carry over, and withdrawn.
- May 1<sup>st</sup> is the final cutoff date for all proposals to be submitted.
- Meeting summaries, proposals and voting results will be prepared and submitted to the Board of Housing and Community Development for final review and decision.
- Agendas with proposals are sent out a few weeks prior to the meetings for individuals to review the information provided. It is recommended that interested parties review and discuss proposals with proponents prior to meetings, in order to keep the meetings moving along to the voting phase.

Participants introduced themselves, and who they were representing.

## **Proposals:**

### **EC1301.1.1.1-21**

Jeff: William Penniman on the call is the proponent.

Bill Penniman: This proposal is straightforward, calling for full implementation of 2021 IECC without amendment. It's important for future buyers and residents. This is consistent with national energy codes. It's supported by economic analysis undertaken by the Department of Energy and the Pacific Northwest National Laboratory, which found that fulfillment of the 2021 IECC would save consumers money as well as reduce costs to the public.

Jeff: Opened the floor for discussion.

Andrew Clark: This was discussed in the Energy Sub-Workgroup. Will those comments carry over into this? It was discussed at length.

Jeff: Typically, proposals sent to the BHCD include all discussions around the proposals from the Workgroups and Sub-workgroups, especially the non-consensus items.

Andrew: From the Home Builders' perspective, they oppose this proposal. The housing industry constantly hears about the need for low to moderate income housing. Home buyers have the option to construct their home to higher standards if that's affordable to them. With full adoption of the 2021 IECC, there's a big cost added to home owners and renters. In the ACEEE scorecard, Virginia earns a near-perfect score on building codes, but is ranking 25<sup>th</sup> because it loses 50% of energy points on utilities and transportation.

Jeff: It is helpful to articulate if you are for or against a proposal when you speak, as Andrew just did.

Eric Lacey: Responsible Energy Codes Alliance is in support of this proposal. They support the adoption of the latest model energy code. There are significant energy savings. It makes sense for Virginia to catch up with the model codes. He thinks that Virginia should start with the latest model code each cycle and look at historic amendments to see if they are still pertinent. In the ACEEE scorecard, Virginia is behind.

Steve: Won't repeat what he said at the Sub-workgroup. AOBA and VAMA are opposed to this change.

Ben Rabe: The comments he made in the Sub-workgroup will carry over for all proposals. He does support this proposal. When contractors work across state lines, it's helpful to have consistency. The vetting process in the IECC is very rigorous.

Dawn Oleksy: The Richmond Office of Sustainability supports this proposal. Building energy is 56% of the carbon footprint. In order to meet 2030 and 2050 greenhouse gas reduction goals, energy efficiency needs to be supported.

Dan Willham: Fairfax County supports this proposal.

Linda Baskerville: Arlington County supports this proposal. The housing stock problems that Andrew mentioned are not all attributable to the energy code. Putting them all on the back of the energy code is shortsighted. Virginia residents have undeniable long term benefits. Looking at this in the short term is not in accordance with Virginia's long term goals.

Mike O'Connor: Asked proponents if there were bills in the most recent General Assembly that were defeated, and if this is an attempt to go around the General Assembly.

Bill: Is not aware of such a bill. In the last General Assembly, HB2227 was adopted and was measured to be at least as stringent as the IECC.

Andrew: Is not making the claim that the energy code is the sole driver of housing cost. This is potentially another factor driving costs up. The building code process has been effective in lowering energy costs for residents. Data cited in an affordable housing study report as a part of HB854 (2020 session) breaks down energy cost by homeowner, renter, year built and AMI. In homes built after 2000, virtually every income bracket is not having energy cost burdens. Homes built before 2000, and before 1980, those at the lower income spectrum are energy cost burdened. We've made a significant amount of progress. There's a need to find out when diminishing returns come in. Adding costs to the construction creates impediments and barriers to home buyers. He encourages the group to look at the report with data pulled from the Department of Energy. He said he would send the report to the group. It shows pretty clearly that most folks are not energy cost burdened.

Linda: To Andrew's point, 20 years from now, the houses being built today will be the older stock, which as he pointed out, will be the houses that are energy cost burdened. They can be addressed in today's code.

Andrew: Homes built in the 30s, 40s and 50s were built according to much lower standards. Homes now are built to a much higher standard. To say that in 20-30 years these homes will be like ones built in 30s is like comparing apples to oranges.

Jeff: As a technical comment on this proposal, there is correlation between codes that will need to be done for a change this large. The proposal may not have done all of this work. This is not an opinion for or against.

Bill: On the issue of cost. There is an increase in the initial construction cost, however, it saves money for residents now and in the future. It also benefits the future health of the Commonwealth. It's been widely recognized that energy efficiency needs to be improved, energy consumption needs to be reduced and climate emissions and pollution needs to be reduced rapidly in the next decade or two. The old way of building won't accomplish that. While he hasn't looked in-depth at the study Andrew referred to, he did look at the tables and he doesn't think they prove as much as he indicated. Lower income people would not be the consumers for these energy custom builds anyway. This proposal is valuable, and he's willing to have more discussion to create a different proposal that is more selective without weakening the requirement.

Mike O: He reviewed HB2227. This was originally mandatory and mirrored what is being presented today. The bill was amended to say that it shall be considered by the Department of Housing, making it permissive instead of mandatory. He understands that there was also legislation this past session that aimed to accomplish the same thing. He suggests that this is an attempt to go around the legislature.

Bill: It is not an attempt to go around legislature. HB2227 said to consider full compliance with the latest version of the IECC and standards as stringent or more stringent, and it gave standards for doing it in terms of savings for residents and benefits for the public. This proposal fully complies with HB2227 that has passed. It's still a decision of the BHCD and we think this is the right decision.

Andrew: Responding to Bill's first comment, he understands the cost savings over time. However, initially, it will prohibit people from getting into the homes in the first place. The upfront cost increase is the biggest barrier for low and moderate income families. Most contractors are not building on the higher end and when they are taken to task, they are always pressed to build for lower to middle income families. Realtor data shows that houses selling in the \$200k or less range have gone down almost 50% since 2019. Starter homes are almost extinct. The industry is not against energy efficiency, but they are trying to balance that with costs in order to provide a more diverse housing stock.



Bill: Taking the holistic view, energy efficiency does save money over time. NAHB has said that consumers do look for and want energy efficiency. Consumer Reports says that most buyers assume that the state codes match the national codes.

Jeff: Hearing no further discussion, this will be marked as Non Consensus.

{BREAK: 10:00 – 10:05}

#### **EC-C401.2-21**

Ben: This proposal is one that was submitted to the 2024 IECC. It is an ambitious proposal to submit to Virginia, so it is not expected to get consensus approval. It was submitted in order to start a conversation and let folks know what is coming up in the IECC process. It would require commercial buildings to move to all electric. It would require heat pumps and conduction cooking, which would have a great impact on the amount of carbon produced by commercial buildings. Commercial buildings produce about 40% of the carbon footprint in the country.

Andrew: This proposal is related to prohibiting natural gas in commercial buildings. We are opposed due to the comments already raised in the Sub-workgroup.

Steve: AOBA and VAMA also opposed, as noted in the Sub-workgroup.

Mike O: Petroleum Marketers and Propane Gas Association are opposed to this. Virginia small businesses provide oil heat and propane. There is no provision in this proposal to retrain workers in the petroleum and propane industries after they are forced out of business due to a proposal such as this. Also, the payback time on a heat pump is about 25 years. The only people who can afford to do this are the regulated utilities, who are using their rate-payer subsidized income to perform these conversions.

Bill: Supports this proposal, as it needs to happen as a matter of climate change mitigation and preparedness.

Jeff: With no further discussion offered, this will be marked Non Consensus.

#### **EC-C402.4-21**

Eric: Chapter 13 is where the Virginia amendments to the IECC are made. This proposal edits some that are no longer necessary. This proposal strikes sub sections 2, 3 and 4. Sub section 3 is an amendment that allows increased skylight area if the building complies with the daylight responsive controls. Virginia's current allowance is up to 5% skylight area and the IECC now allows up to 6%. This seems to be a sensible improvement in the code. By striking that sub section 3 amendment, Virginia would be adopting the IECC 6% skylight area for the buildings with daylight responsive controls. Sub sections 2 and 4 are related. These are changes that RECA proposed in the 2015 code update cycle. In 2015, Virginia had a better solar heat gain coefficient (SHGC) requirement than the model code had in 2015. Since then, the 2021 IECC has caught up to Virginia, and requires essentially the same SHGC even though it's now divided into fixed and operable fenestration. It has also simplified the calculation process for projection factor. A credit is given for having projections over the windows, allowing for higher SHGC. The 2021 IECC also removed the orientation specific SHGCs that cluttered up the 2015 and 2018 editions of the IECC. This simplifies the code and doesn't seem to be a large change substantively. The IECC approach is a good one, which also matches the ASHRAE 90.1-2019 standard, so the fenestration requirements are the same.

Steve: Talked about this on Monday in the Sub-workgroup, and he's in support of this. It is also cosponsored by the Energy Sub-workgroup.

Jeff: With no other comments or discussion, this is marked as Consensus for Approval.

#### **EC-C403.3-21**

Ben: This proposal would require dedicated outdoor air systems. There would be parallel systems and one would provide fresh outdoor air and the other would provide the heating and cooling. One advantage would be energy savings, as it would require much smaller fans. Another advantage would be that it allows more control over fresh air which has measurable impacts on health. This was also discussed in the Sub-workgroup.

Steve: Opposes the change.

Bill: Supports the proposal.

Jeff: Seeing no other comments or discussion, this will be marked as Non Consensus

#### **EC-C403.4.1.6-21**

Ben: This proposal was submitted for the 2024 IECC. It would allow for the utility company, third party provider and potentially others to have control over large quantities of thermostats to lessen the peaks and drops in the grid on hot days and help with brown outs. It would not affect comfort but would reduce strain on the grid.

Steve: Opposes this. He sees in the reason statement that 4 degrees was chosen based on the California energy code.

Andrew: Also in opposition.

Ben: California was used, knowing that they have a different climate, but that is open for discussion.

Mike O: Asked the proponent if a third party would be allowed to regulate the temperature of consumers' homes.

Ben: No.

Mikel O: What is the purpose?

Ben: To avoid peaks in the existing system.

Mike O: How?

Ben: Groups of buildings would be on a cycle, so that everyone is not ramping up the temperature at the same time.

Mike O: Who makes the decisions for the large groups of buildings?

Ben: The utility or third party provider would. This proposal would allow the technology to exist, and homeowners can opt in.

Mike O: Typed in the chat box that Petroleum and Propane associations are opposed to this proposal.

Bill: This puts technology in place for a critical measure to manage electric grids while keeping people comfortable. The utility or third party would allow customers to opt in, giving control of the short term fluctuation in energy flows, thereby smoothing out peaks to reduce costs. The consumer is usually paid to opt in. It is growing in availability around the country and in Virginia. He supports it.

Jeff: Seeing no further discussion, this will be marked as Non Consensus.

#### **EC-C403.15-21**

Ben: This proposal would require more efficient dehumidification systems for indoor agriculture (mainly cannabis farms). This is a very cost effective way to ensure that these buildings are as energy efficient as possible. There's also a lighting proposal coming, which is probably the most cost efficient.

Andrew: Asked if anyone is aware of this in the cannabis industry. He thinks it's important for someone in that industry to know about this and be involved with it. He is not comfortable with moving it forward unless someone in that industry is involved.

Ben: He hasn't reached out to any agricultural folks in Virginia. NBI has primarily worked with people in this industry in California, who have supported this.

Andrew: Thinks it should be Non Consensus because the industry it would affect is not here to discuss the proposal.

Steve: Asked Ben if he also spoke with people in Colorado about this.

Ben: Yes. They did help develop the code in Denver as well.

Bill: This is a case where Virginia should learn from other states. It should be done before the buildings are up and running. It's simple and sensible and he supports it.

Jeff: Seeing no further discussion, this will be marked as Non Consensus.

#### **EC-C404.11-21**

Ben: This proposal would require technology to be in place, which would allow commercial buildings to be on a cycle to ramp up their water heating. The building owners would get paid to opt in to the program. The cycle would not permit all buildings to ramp up at the same time, thereby causing strain on the grid. This would put the technology in place so that cyclical programs could be made available.

Andrew: Typed in the chat box "HBAV non consensus on 404.11"

Steve: Asked if the change doesn't require the building to do anything, but it gives them a choice to opt in, is that correct?

Ben: It puts technology in place, but doesn't require the building owner to subscribe. The water heater would have the capacity but it would not be turned on unless owner opts in.

Steve: It looks like the language says that if the water heater has a certain volume, the technology 'shall' be provided. It sounds like a mandate.

Ben: The water heater shall have the technology, but it would not be in use until the owner subscribes to allow the control of the water heater.

Bill: Supports this for same reason as the earlier demand-response program. This is a great place to help the grid. Plus, users are paid to participate.

Steve: It looks like the proposals don't stand alone; if one goes through, they both would.

Ben: They can be independent of each other.

Jeff: Hearing no other discussion, this will be marked as Non Consensus.

#### **EC-C405.4-21**

Ben: This is another indoor horticultural proposal, but related to lighting, which again is new to Virginia. Most places have LED now. This would put similar requirements on the marijuana industry in Virginia.

Andrew: Again, similar to the other one, he would want people from the industry to be able to provide input.

Bill: Also, like the other one, when the marijuana industry develops, it will explode and put burden on the utilities. At minimum, there should be lighting requirements in place up front. He thinks it's a sensible proposal and he supports it.

Ben: Would be happy to talk with people from the affected industry. He asked if anyone has a connection, to pass it along to him.

Jeff: Seeing no more discussion, this will be marked as Non Consensus.

#### **EC-C405.13-21**

Ben: He is happy to report that this proposal for a small amount of PV on commercial buildings just passed through the ICC consensus committee process. This will likely be in the 2024 IECC. It requires, with exception, a very small amount of solar panels to be placed on commercial buildings. This was discussed extensively in the Sub-workgroup.

Steve: Asked what the Sub-workgroup decided.

Jeff: Non Consensus.

Steve: Was in opposition then, and still is.

Bill: Is in support of this proposal.

Jeff: Seeing no further discussion, this will be marked as Non Consensus.

#### **EC-C405.16-21**

Ben: This is similar to the first proposal he discussed. Instead of requiring buildings to jump to all electric, this would get things ready for it. The upfront cost of running conduit and putting the electrical capacity in the building is way cheaper than doing it down the road. It would save people a lot of money not having to retrofit.

Steve: AOBA and VAMA Opposes

Andrew: In opposition as per comments made in the Sub-workgroup.

Bill: In order to combat climate change, electricity to the maximum extent possible needs to be implemented. Getting ready for it with relatively low costs up front will make the transition better and cheaper. It will benefit everyone. He supports it.

Jeff: Seeing no further discussion, this will be marked as Non Consensus.

#### **EC-C407.6-21**

Bill: ICC has a zero energy appendix, but to activate it, there needs to be a statement in the main body of the code. This would put a statement in the main body of the code to activate the appendix standard. It simply requires that there be truth in advertising, and formal confirmation of compliance with standards. He's willing to have it Carried Over for continued discussion and bring back to the June meetings.

Ben: NBI was highly involved in developing this proposal. It's a great opportunity for Virginia.

Steve: He is still in opposition to this, and is not sure that it belongs in a building code, due to it being about advertisement.

Andrew: Is willing to look at it further with others, as well as other proposals on the docket today.

Eric: Has seen stretch energy and net zero codes adopted across the country. Some are better than others. There was an improvement in the 2021 IECC with more standardized appendices. There would be real value to getting these programs similarly situated. He supports William's effort. It points to a standard that shows the consumer what a net zero energy building is.

Bill: Following the earlier discussions, he posted answers to some of the concerns raised in the public comment section, and he thinks there are solutions to advertising.

Jeff: This will be Carried Over.

#### **EC-C1301.1.1-21**

Jeff: Matt indicated he would carry this over until the June meeting.

Matt Benka: Confirmed that he wanted to carry this proposal over. This proposal is to revise materials or system requirements in this section, which may be not be needed or seldom used in construction. Some other states don't have this requirement, and Virginia contractors may have lost out on some business because of it. In the last session of the General Assembly, they submitted HB1289 which passed both the house and senate and was signed by the governor. He's not prepared today for a full presentation of this proposal. He and Jack Avis are available to discuss. He gave his direct phone # and website contact information.

Jack Avis: Examples would be a large warehouse heated to 60 degrees in the summer only or a manufacturing facility with a lot of residual heat from machinery, that doesn't run in the winter or a utility that needs to be above freezing to keep sprinkler pipes from freezing. Those are examples of the types of buildings that could be helped by this proposal.

Eric: Spent some time looking at the proposal and they are strongly opposed, as it is drafted now. He is willing to talk about it. It doesn't just exempt these buildings from improvements in the 2021 IECC it completely exempts them from the energy code. The statute that was passed requires BHCD to consider the proposal, but it would still exempt entire classes of buildings. Consider an Amazon warehouse, all of the systems could be exempt from the energy code. Other businesses that have people in them would be heated all the time. It requires very careful consideration to not exempt buildings that could easily comply.

Ben: Wants to echo Eric's comments that it seems like a very broad exemption for a large group of buildings and a more specific attempt would be better.

Jeff: This proposal will be discussed in the next Energy Sub-workgroup, and he encourages others to talk outside of and before that meeting to find common ground.

Matt: They don't want to be overly broad; they would rather be more specific. He would love to work together with others. He asked for participants to please contact him after this meeting.

Bill: Agrees with Eric. He thinks it's practically deficient, and also legally deficient. Square footage isn't the issue; cubic footage is the issue when talking about heating or cooling. Mass exemptions don't make sense. Tailored specific ones are better.

Jeff: This will be marked as Carried Over.

{BREAK: 11:05 – 11:10}

#### **REC-R401.2-21 / REC-R401.2.5-21**

Ben: These two proposals are the residential versions of all-electric and electric-ready buildings. The all-electric residential proposal is moving through the ICC process. The electric-ready building provides the same advantages of the all-electric proposal, but spreads the upfront costs out over time.

Jeff: Both of these were Non Consensus in the Sub-workgroup.

Andrew: Opposed, as discussed in the Sub-workgroup meeting.

Mike O: Opposed, as discussed in the Sub-workgroup meeting.

Bill: Supports these proposals, as electrification is essential to meet climate goals and is healthier for people.

Jeff: Seeing no further discussion, these two proposals will be marked as Non Consensus

#### **REC-R402.1.2 (1)-21 / REC-R402.1.2 (2)-21 / REC-R402.2-21 / REC-R402.4-21 / REC-R402.4.1.2-21**

Jeff: The next 5 proposals were heard by the Energy Sub-workgroup and the proponents have expressed that they are interested in carrying them over to the June meeting. He asked proponents if they wanted to discuss them in today's meeting.

Linda: Is fine with carrying these over, as there are productive discussions underway.

Bill: Willing to carry over until the June meeting. He would note that if a revised proposal needs to be submitted by May 1, discussions are urgent. Also, the EV readiness proposal being carried over applies to residential, but he will submit a commercial one also.

Jeff: May 1<sup>st</sup> is the cutoff date to get proposals submitted in cdpVA, and they can't be changed after that date. However, if work continues and there's an amendment after May 1, a Word document with those edits can be submitted to DHCD by at least a week or more before the June meetings, so that it can be included in the meeting for discussion.

Steve: Will be happy to meet with Bill about the EV commercial buildings.

Andrew: Is also willing to work with Bill. For single family homes, builders are offering EV capability and readiness options now.

Bill: Next week looks good to continue the discussions.

Jeff: These 5 proposals will be marked as Carried Over.

#### **REC-R403.1.1.1-21**

Ben: This is the residential version of the demand response thermostat proposal. It would put technology in place so homeowners can subscribe to programs down the road which will pay them for participation and minimize stress on the grid.

Jeff: This proposal was Non Consensus in the Sub-workgroup.

Eric: He's familiar with cool keeper and other programs where consumers get a credit on their bill. This proposal doesn't require a big investment, only a thermostat with the capabilities when the home is built. Nobody wants to pay cost of tearing out an old thermostat and putting in a new one. If the homeowner elects to use it or not, it would be good to install the technology initially. This should be carried forward and discussed further.

Andrew: This was Non Consensus in the Sub-workgroup. He would be happy to continue the conversation, but he's opposed as it is now.

Bill: Is in favor of this.

Jeff: Seeing no further discussion, this will be marked as Non Consensus.

#### **REC-R403.1.2-21**

Bill: This proposal requires heat pumps to be used in electric buildings. Instead of installing electric resistance heat in new buildings, put in heat pumps. It was noted at the last meeting that 403.1.3 said "as a replacement in an existing unit". It may make sense to carry this over so that can be addressed.

Andrew: Thought that this was carried over in Sub-workgroup, as well as 403.3.3.

Jeff: This will be marked as Carried Over

#### **REC-R403.3.3-21**

Eric: Anyone can reach out to him to be involved in the continuing discussions. This proposal adopts the 2021 IECC provisions for duct testing.

Jeff: This will be Carried Over.

#### **REC-R403.5.4-21**

Ben: This proposal gives home owners the opportunity to help save money and reduce wear on the grid. It's basically the residential version of the previous commercial building water heater proposal.

Andrew: HBAV is Non Consensus

Bill: Supports this proposal, for the same reasons already given in prior discussions about similar proposals.

Jeff: Seeing no further discussion, this will be marked as Non Consensus.

#### **REC-R404.2-21**

Bill: This proposal is about solar readiness for single family and townhouse residences. It doesn't extend to large multi-family residential occupancies. It provides for readiness by putting in a conduit for solar equipment to be added later. There's a solar-ready provision in the current code, but it's in the appendix, and this would activate it. He's happy to carry it over if needed.

Ben: Is very much in favor of this proposal. They submitted a similar one. He would be happy to work with Bill.

Dawn: Supports this. The RVA Green 2050 has been in the works for many years already, and solar ready is prioritized as an important strategy to accomplish the goals.

Jeff: Andrew stepped away, but he indicated his non-support for this proposal and the next one in the chat box: Andrew Clark: I've got to leave for another meeting, but you can put HBAV down as non-consensus for the remaining two proposals.

Jeff: This proposal will be marked Carried Over.

#### **REC-R404.4-21**

Ben: This is his version of the proposal that Bill just discussed (REC-R404.2). He would like to carry it over to work towards consensus.

Bill: Would be happy to work with Ben and Andrew.

Jeff: Would this proposal correlate with R404.2?

Ben: yes

Jeff: Do you both want to carry both of these over?

Bill: Yes

Ben: Yes. They will work together on these last two proposals.

Jeff: This proposal will be marked Carried Over.

#### **Next Steps:**

Jeff: Workgroups continue to meet this week and next week. The decisions made in the Workgroups for the proposals discussed will be updated in cdpVA. They are currently working on correcting a glitch in the cdpVA system in order to be able to post the decisions. The final cutoff to submit proposals in this cycle is May 1. The final round of Workgroup meetings will be in June. All proposals considered by the Workgroups will tentatively go to the BHCD in September. He thanked everyone for their participation.

## General Stakeholder Workgroup Meeting

April 15, 2022 9:00 a.m. – 10:38 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

### VMC & SFPC Proposals

#### ATTENDEES:

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

**Jeff Brown:** *State Building Codes Office Director, State Building Codes Office (SBCO)*

**Richard Potts:** *Code Development and Technical Support Administrator, SBCO*

**Paul Messplay:** *Code and Regulation Specialist, SBCO*

**Florin Moldovan:** *Code and Regulation Specialist, SBCO*

**Jeanette Campbell:** *Administrative Assistant, Building and Fire Regulations (BFR)*

#### Group Participants:

**Andrew Clark:** *Homebuilders Association of Virginia (HBAV)*

**Andrew Milliken:** *Virginia Fire Services Board (VFSB) - Fire Codes and Standards Committee*

**Dale Powers:** *Virginia Elevator Safety Association (VAESA)*

**David Settle:** *VAESA*

**Joshua Davis:** *Virginia State Fire Marshal's Office*

**Lee Stoermer:** *Loudoun County Fire Marshal's Office*

**Linda Hale:** *Virginia Fire Prevention Association (VFPA)*

**Matthew Mertz:** *Fairfax County*

**Michael Henley:** *VAESA, Virginia Department of General Services (DGS)*

**Michael Redifer:** *VAESA*

**Paula Johnson:** *VAESA*

**Ron Clements:** *Chesterfield Building Official, representing himself*

**Sarah Thomas:** *Virginia Association for Commercial Real Estate*

**Steve Shapiro:** *Apartment and Office Building Association (AOBA), Virginia Apartment Management Association (VAMA)*

## **Welcome:**

Paul Messplay: Gave an Adobe Connect tutorial of the features available.

Jeff Brown: Briefly reviewed the 2021 Code Development Cycle workflow. He shared the presentation on screen and in the file pod available to download. Highlights included:

- DHCD staff were identified by name
- tentative dates in the 2021 Code Development Cycle
- final phase change – no new proposals accepted after May 1<sup>st</sup> deadline
- cdpVA and DHCD web sites
- base documents
- meeting types and topics

Participants introduced themselves, and who they represent.

Jeff: Noted that the meeting agendas are prepared and sent out well in advance of the meetings. He encouraged group members to review proposals and contact proponents if needed before the General Workgroup meetings, so that potential issues could be discussed and consensus reached when practicable. He asked participants to stay muted when not speaking, to let the group know if they are speaking for themselves or for the group they represent, and to be clear on voting in favor of or in opposition to the proposals.

## **Proposals:**

### **FP103.1-21 – SFPC SWG Proposal**

Jeff: This proposal is from the SFPC Sub-Workgroup, where all the items on the spreadsheet were discussed at length and the proposal as a whole was voted as Consensus for Approval.

Steve Shapiro: Supports the proposal.

Andrew Milliken: Supports the proposal.

Jeff: With no additional discussion or comments heard, this was marked as Consensus for Approval.

### **FP107.11-21**

Jeff: This proposal from Joshua Davis was submitted after the last SFPC Sub-Workgroup meeting, so it was not discussed in that group.

Joshua Davis: He will bring the proposal to the next SFPC Sub-Workgroup meeting for comments, but he would be happy to answer any questions today in this meeting. This proposal is about fees levied by the State Fire Marshal's Office for recovery of costs. The State Fire Marshal's Office is funded 60% through the general fund and 40% through revenue recovery for permit and inspection services. The current 2018 fee schedule still reflects the fees set in 2003. The purpose of the proposal is to update the fees according to the increase in costs since 2003. Permits required for food trucks were set in the 2018 code, but there were no associated fees set for the Fire Marshal to recover costs. This proposal sets the fee for that type of permit. Further in the document, there are also new fees listed, which were never levied in the past. These fees are set in the fire code for the whole state. Many localities were appraised to see what a good average price would be for the whole state.

Steve: Asked Joshua if he could clarify when the State Fire Marshal would be involved vs. the local Fire Marshal, and when these type of fees would be collected for the state.

Joshua: The State Fire Marshal is the fire code official for any locality that hasn't adopted the fire code and appointed an official to enforce the code. Currently, the State Fire Marshal is in charge of 62 of 95 districts in Virginia. The State Fire Marshal is also the fire code official for all state facilities, such as state universities, correctional facilities, Capitol buildings, etc. Fees for mobile food trucks are charged and collected by either the State or local Fire Marshal, based on the locality where they are registered. Any food truck coming into Virginia from another state would need to get a permit from the State Fire Marshal.

Steve: Asked Joshua to clarify if item #7 about fireworks was under the purview of the State Fire Marshal.

Joshua: Only if the locality is not involved. If the locality is already involved, the State Fire Marshal would not charge a separate fee.



Jeff: Asked if there were any other comments or questions. As none were given, this proposal was marked as Carried Over to be presented at the SFPC Sub-workgroup before coming back to the general Workgroup in June. Anyone is invited to attend the Sub-workgroup, but only group members will vote on proposals.

**FP107.12-21**

Jeff: This is a DHCD staff proposal. It is a companion proposal to one made in the USBC. There was a change in oversight of Family Day Homes put into effect on July 1, 2021. Previously, oversight and licensing was done by the Department of Social Services. Family Day Homes are now licensed by the Department Of Education. There was no change to the fee structure in this proposal. Hearing no further discussion, this was marked Consensus for Approval.

**PM505.3-21**

Ron Clements: This proposal is to being made to clean up the wording in the provisions. It may have been cut and pasted from the construction or plumbing code provisions, so he's making the language clearer that it's part of the maintenance code.

Jeff: Asked for comments or questions, and hearing none, this was marked as Consensus for Approval.

**PM606.1-21**

Jeff: This proposal is from Michael Redifer, on behalf of VAESA. Earlier in the day, Jeff spoke with Michael, who agreed to some edits which the DHCD staff suggested. The revised language was shown on the screen. There was a reference to an appendix with specific periodic testing required, and at some point, the reference was removed from the code. Because of this, it wasn't clear when these periodic tests were to be performed. The document shared on the Adobe Connect screen showed changes to the 2021 International Property Maintenance Code. Since there is an existing Virginia amendment to this section, the proposal would have to modify the Virginia Maintenance Code. If the stakeholders agree with the changes shown, the proposal will be edited in cdpVA to show the changes to the appropriate code book – 2018 Virginia Maintenance Code.

Michael Redifer: This doesn't really change anything that's being done, it just provides the authority to do so. The referenced appendix wasn't in the Virginia Property Maintenance Code. The reference to section 8.11 of ASME was put into the Virginia amendment to make sure that the proper people were conducting the tests.

Steve: Supports this proposal.

Jeff: With no other discussion offered, this was marked as Consensus for Approval as Modified.

**PM703.2-21**

Ron: In this proposal, the provisions that were eliminated are already not valid based on the hierarchy in the code. In section 703.3, the wording was updated using maintenance language, and the sentence about openings belongs in the Existing Building Code, not in the Maintenance Code. Vertical shafts are a retrofit provision from chapter 11 of the International Fire Code. The fusible link retrofit provision in 703.8 is a construction provision, not maintenance. These were all administrative edits to clean up the code.

Jeff: Hearing no further comments or questions, this was marked Consensus for Approval.

{BREAK 10:05 – 10:10}

**PM704.1.1-21**

Ron: This proposal is for administrative edits to clean up the code. In section 704.1.1, alterations or repairs belongs in the existing building code, so it was deleted. Section 704.1.3 does talk about maintenance, so it was moved to section 704.1.1. In section 704.1.2, design option belongs in the construction code, so it was deleted.

Jeff: Hearing no further discussion, this was marked as Consensus for Approval.

**PM704.2-21**

Ron: This proposal removes specific standards and a table laid out in the maintenance code, and simply points the user to perform maintenance according to the standards already laid out in the SFPC.

Jeff: Hearing no further discussion, this was marked as Consensus for Approval.

### **PM704.3-21**

Ron: If a fire protection system is out of service, after the maintenance inspector reports it to the fire official, their job is done and any further responsibility belongs to fire official, as defined in the SFPC. For this reason, section 704.3 was cleaned up and section 704.3.1 was deleted.

Steve: It seems like something is missing in the first line and it doesn't read properly.

Joshua: He would recommend, "Where a required fire protection system is found or discovered to be out of service, it shall be maintained."

Ron: Agrees. He is open to changing the wording.

Steve: How about "When found to be out of service, it shall be maintained in accordance with the SFPC." Is that what you are trying to capture here?

Ron: Not quite. They want to maintain the system not only when it's out of service.

Andrew M: How about replacing "done" to read "placed out of service or taken out of service"?

Ron: Agrees to taken out of service. He typed in the chat box

*"Where a required fire protection system is taken out of service, it shall be taken out of service in accordance with the SFPC..."*

Lee Stoermer: Asked if it's about a system that is either found to be out of service, or is purposely taken out of service, and for what reason? He typed this in the chat box:

*"Where a required fire protection system is taken out of service for service or maintenance, it shall be taken out of service in accordance with the SFPC..."*

Andrew M: It doesn't matter why it's out of service. The owner could have turned it off because there was a leak. The violation would be that a system was somehow taken out of service in a way that's not in accordance with the SFPC. Ron's version is more apt to cover all scenarios.

Jeff: Hearing no further discussion, this was marked as Consensus for Approval as Modified as per Ron's new wording.

### **PM704.4-21**

Ron: The maintenance and building codes address the building. Addressing a hole in the wall is different than citing the person who made the hole. In this case, tampering with or removing something that was put in place by the fire official doesn't belong in the maintenance code.

Jeff: Hearing no further discussion, this proposal was marked as Consensus for Approval.

### **PM704.5-21**

Ron: If a maintenance inspector sees a bush in front of a fire connection, it should be reported, but gates and fences are the responsibility of the fire inspector. These sentences were deleted for that reason. Additionally, the word "provided" was removed, and the word "maintained" was left as appropriate to this code.

Jeff: Hearing no further discussion, this proposal was marked as Consensus for Approval.

### **PM705.1-21**

Ron: The proposal is to delete 705.1 about retrofitting carbon monoxide alarms per Chapter 11 of the IFC. This doesn't belong in the maintenance code. The proposal was going to delete the reference to NFPA 720, however it will be part of the ICC code change for 2024 throughout all codes, so it can stay until next cycle to be coordinated with the changes to other references of NFPA 720. The proposed modification to the original proposal was shared on the screen.

Jeff: Hearing no further discussion, this proposal was marked as Consensus for Approval as Modified.

### **Next Steps:**

Jeff: Thanked everyone for their participation and let them know that residential and trade Workgroup meetings will be held next week, and are the only two remaining for April. The next cycle of Workgroup meetings will be held June 7-15. He reminded everyone to submit any new proposals to cdpVA by May 1. DHCD staff will update all proposals in cdpVA with decisions made in the Workgroups as soon as a system glitch is fixed.

## General Stakeholder Workgroup Meeting

April 19, 2022 9:00 a.m. – 10:02 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

### VRC Proposals

#### ATTENDEES:

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

**Cindy Davis:** *Deputy Director, Building and Fire Regulations (BFR)*

**Jeanette Campbell:** *Administrative Assistant, BFR*

**Jeff Brown:** *State Building Codes Office Director, State Building Codes Office (SBCO)*

**Richard Potts:** *Code Development and Technical Support Administrator, SBCO*

**Paul Messplay:** *Code and Regulation Specialist, SBCO*

**Florin Moldovan:** *Code and Regulation Specialist, SBCO*

##### Group Participants:

**Aaron Sutch:** *Solar United Neighbors*

**Al Larsen:** *Ipsun Solar*

**Andrew Clark:** *Home Builders Association of Virginia*

**Andrew Milliken:** *Stafford County Fire and Rescue, Fire Services Board Codes and Standards Committee, Representing himself*

**Daniel Willham:** *Fairfax County*

**KC Bliele:** *Viridiant*

**Nolie Diakoulas:** *Convert Solar*

**Ron Clements:** *Chesterfield County*

## **Welcome:**

Jeff Brown: Welcomed the participants. He noted that the meeting is being recorded and there will be breaks every hour.

Paul Messplay: Gave an overview of the Adobe Connect meeting room features.

Jeff: Reviewed the 2021 Code Development Cycle presentation with the following highlights:

- DHCD staff were identified by name
- Important dates in the cycle were reviewed
- cdpVA and DHCD website contents
- Study Groups, Sub-workgroups and Workgroups
- Base documents, proposals and regulations

Al Larsen: Asked which version of codes will be in effect as of July 1 2022.

Jeff: The 2018 codes are in effect currently, as of July 1, 2021. The 2021 codes will potentially go into effect in 2023, sometime in the second half of the year. The 2018 codes will remain in effect until that time.

Workgroup participants introduced themselves and who they represent.

## **Proposals:**

Jeff: The two proposals on the agenda are for the same code section. If there is no opposition, the group will discuss both of them together. Group members voted to discuss both proposals together.

### **RB324-21**

Al Larsen: Thanked the DHCD staff for their assistance. At the last meeting, this proposal was presented and some of the fire protection folks were concerned about making the changes as proposed, due to safety issues. Since then, there was discussion between solar representatives and fire protection representatives. They came up with language that adequately protects safety and eliminates impediments to solar installation. The proposal discussed at the previous meeting was modified to revert back to the 2018 language on 6.1 pathways. The 6.2 setback at the ridge provision says not less than an 18" clear setback is required on both sides of a horizontal ridge.

Jeff: Is there an additional amendment from what is presented on the screen now (and in cdpVA)?

Al: Yes, he did supply that to the DHCD staff. Again, the 6.1 reverts to the 2018 language and 6.2 was modified as described.

Nolie Diakoulas: Sent the latest revision to Jeff, which was agreed upon. It takes out the complications of having to figure out percentages. The new language clearly states 18" path on each side, which gives 36" for safety purposes.

Al: They aren't proposing eliminating the 6.1 pathways, they are proposing reverting back to the 2018 language.

Jeff: It sounds like there will be no change to the 2018 IRC, and without change, the 2021 IRC will be incorporated into the 2021 USBC. There would need to be an amendment to the 2021 IRC to revert back to the language of the 2018 IRC.

Al: Yes, correct.

Nolie: The agreed upon edits to 6.2 and 6.2.1 were shown on the screen.

Jeff: They would need to take the 2021 IRC language and revert back to the 2018 IRC language.

Al: Yes, again, the 6.1 pathways provision would revert to the 2018 Language.

Andrew Clark: Requested the DHCD staff to send the document shown on the screen to the group. Is this only for homes that plan to have rooftop solar?

Al: Yes, that's correct.

Jeff: Let the group know that the document is available for download in the files pod.

Andrew Milliken: The FSB met and discussed the proposal. The original opposition was to the changes to pathways. There's no opposition to the ridge setback provision.

Jeff: Asked Andrew M to clarify that section 324.6.1 reverting back to 2018 IRC language is acceptable.

Andrew M: Has no problem reverting to the 2018 language for pathways.

Al: Appreciates the extra time that was allowed to work through the issues between solar and fire. They reached a compromise that works for everyone.

Jeff: It sounds like there is no opposition to reverting 6.1 to the 2018 IRC language, and changing 6.2 as noted.

Dan Willham: Is the language about adjacent plane somewhere in this section?

Nolie: Yes, in the 2018 code.

Jeff: If the language on the screen is acceptable, DHCD staff can make the change in cdpVA.

*Note: At this point, Jeff directed the group conversation to proposal **RB324.6.1-21**. At the conclusion of that discussion, the group returned to **RB324-21** to continue the dialogue and vote.*

### **RB324.6.1-21**

Jeff: This proposal was submitted by Jason Laws, who was not on the call. Jeff asked if anyone was able to present the proposal on behalf of Jason.

Dan: Can't speak for Jason, but this is identical to what was presented a few weeks ago at the ICC hearings in Rochester. There was a lot of opposition to it, even from folks in the solar industries. There was a representative from UL who was going to reach out to Jason to discuss it further. He thinks it might be a good idea to carry this proposal over.

Nolie: This is his first time seeing the proposal. It seems almost the same as what they are proposing; a 36" pathway on all mounting plains. He doesn't see any difference.

Jeff: Asked the group if there was any opposition or support for this proposal.

Nolie: Since he has had a chance to read this, he opposes it. It makes things more complicated than the original language in 6.1.

Al: Also likes having no revision to section 6.1. He agrees with Nolie that it complicates matters. In addition, their proposal was agreed upon with solar and fire folks, and since the proponent is not present to discuss this proposal, it doesn't add value. He can't support this now.

Aaron Sutch: Also agrees with Al & Nolie. Solar and fire representatives agreed on the prior proposal with no changes. He opposes this proposal.

Jeff: Hearing no further discussion, this will be marked as Consensus for Disapproval

### **RB324-21 (Continued)**

Jeff: DHCD staff confirmed that there were no changes to section R324.6.1 between the 2018 and 2021 editions. Therefore, there would be no changes necessary to that section in this proposal. The only changes would be to section 6.2 to say that there will be not less than an 18 inch clear setback required for both sides of a horizontal ridge. All other language would be stricken from section 6.2.

Al: Confirmed that was accurate.

Jeff: Asked if there was any opposition or support for this proposal. A vote on this proposal resulted in Andrew M., Aaron and Nolie stating support for the proposal.

Dan: Asked if solar panels completely cover a roof, would this reduce or extend ridge pathways?

Nolie: Neither. It sets the access at 36" and doesn't get into % of coverage.

Dan: According to the last sentence that's stricken in this proposal, if a roof has more than 33% coverage, there would be a 72" path required.

Nolie: That is correct. The agreement with fire personnel is that 3 feet is fair enough workable space.

Dan: Asked Andrew Milliken if the path is for walking or venting.

Andrew M: A combination of both. The pathway to the ridge is important. This would ensure that there's a 36" path from the bottom edge of the roof to the ridge and across. It's a good compromise to look at ridge setbacks instead of only pathways to the ridge.

Dan: Is there any problem with 18" access?

Andrew M: The ridge usually has a vent, and 18" gives fire personnel enough access to work there. They would like more, but the 18" is adequate and acceptable.

Dan: Are solar panels typically on both sides of the ridge?

Nolie: Yes, especially on East / West facing roofs.

Jeff: It seems that there is support for this proposal with no opposition. The other proposal seemed to have some opposition. Hearing no further discussion, group members indicated approval with thumbs up. This proposal will be marked as Consensus for Approval as Modified, as shown on the screen. DHCD staff will make the corrections in cdpVA.

**Next Steps:**

Jeff: Thanked everyone for their participation and for the work done outside of the Workgroup meeting space to reach a compromise on the proposal. May 1 is the deadline to submit proposals in cdpVA for the last round of Workgroup meetings in June.

## General Stakeholder Workgroup Meeting

April 20, 2022 9:00 a.m. – 9:11 a.m.

Virtual Meeting: <https://vadhcd.adobeconnect.com/va2021cdc/>

### Trades Proposals

#### ATTENDEES:

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

**Jeff Brown:** *State Building Codes Director, State Building Codes Office (SBCO)*

**Richard Potts:** *Code Development and Technical Support Administrator, SBCO*

**Paul Messplay:** *Code and Regulation Specialist, SBCO*

**Florin Moldovan:** *Code and Regulation Specialist, SBCO*

**Jeanette Campbell:** *Administrative Assistant, Building and Fire Regulations (BFR)*

##### **Group Participants:**

**Andrew Grigsby:** *Viridiant*

**Brent Werlein:** *Virginia Beach Public Utilities, representing Hampton Roads Planning District Commission Fats, Oil and Grease (FOG) Subcommittee*

**Richard Grace:** *Culpeper County Building Department, representing Virginia Plumbing & Mechanical Inspectors Association (VPMIA)*

## **Welcome:**

Jeff Brown: Welcomed the participants to the Trades Workgroup meeting. He reminded participants that the meeting is being recorded. He asked group members if they wanted to see either the Adobe tutorial or the Code Development presentation. Members were already familiar with the materials, so they declined.

Participants introduced themselves, and who they were representing.

## **Proposals:**

### **P1003.3.2-21**

Brent Werlein: This proposal addresses food waste grinders bypassing grease interceptors. He originally used language from the 2012 code, and revised it using the 2015 code language.

Jeff: Showed the original proposal and the revision on the screen.

Richard Grace: Worked with Brent on this proposal. Originally, it was a mixture between the past and the present. After the language was tweaked, it made full sense. VPMIA is in full support of the proposal.

Jeff: Hearing no further discussion, the group voted with thumbs up. This proposal was marked as Consensus for Approval as Modified

### **M410.2-21**

Jeff: This proposal is from Jonathan Sargeant, not on the call. Jeff asked if anyone wanted to speak about it.

Richard: Agrees with the reasoning of the proposal. The original language restricted a test port to be located 10 pipe diameters downstream of the MP regulator, and didn't allow for alternatives. The way that Jonathan worded it, other viable options are able to be used. He fully supports it.

Jeff: With No further discussion offered, the group voted with thumbs up. This proposal was marked as Consensus for Approval.

## **Next Steps:**

Jeff: Reminded the group that the final cutoff date to submit proposals in cdpVA is May 1<sup>st</sup> for the June Workgroup meetings.