

Virginia Fire Services Board

Fire Prevention and Control Committee

Thursday, February 22, 2024

Virginia Fire and Rescue Conference

1000 19th St, Virginia Beach, VA 23451

3:00 PM

MINUTES

A regular meeting of the Fire Prevention and Control Committee was held at the Virginia Fire-Rescue Conference in Virginia Beach, VA. The meeting was called to order by Chair Steven Sites and a quorum was present.

COMMITTEE MEMBERS PRESENT

Steven Sites, Committee Chair – Virginia Municipal League
Billy Hanks – Local Fire Marshal
JM Snell II – Board of Housing and Community Development
John Miller – Department of Forestry
Dennis Linaburg – Virginia Chapter of IAAI
Ernie Little – Virginia Fire Prevention Association

COMMITTEE MEMBERS ABSENT

Keith Johnson – Virginia Fire Chiefs' Association

AGENCY MEMBERS PRESENT

Billy Hux, State Fire Marshal
Spencer Willett, Government Affairs Manager

GUESTS PRESENT

Robby Dawson
Matthew Clark
Andrew Milliken

CHANGES IN THE AGENDA

PUBLIC COMMENTS

CONSENT AGENDA

Motion: To approve the minutes of the previous meeting (November 2023)

Motion: Little, **Second:** Linaburg

Discussion on the Motion: None

Vote: Unanimous

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Action: Minutes approved

REPORT FROM THE VIRGINIA STATE FIRE MARSHAL

State Fire Marshal Billy Hux provided updates from the State Fire Marshal's Office. This included the delivery of the FAST lab trailer and updates on the actual fabrication of the project. He also provided information on the report from the workgroup led by the Department of Criminal Justice Services (DCJS) looking at fire marshal law enforcement powers. This report has been circulated to fire marshals. The office began conducting contract food truck inspections which will be completed annually. There were no questions from the committee.

CODES AND STANDARDS WORKGROUP

Andrew Milliken provided an update on the workgroup. He highlighted the changes made to the group which will make it easier to meet with the demanding workload imposed by the code development cycle. The workgroup met last month to discuss the reopening of the 2021 codes to comply with an executive order to reduce regulations. Milliken provided comment to the Board of Housing and Community Development (BHCD) opposing this. BHCD did not reopen the codes and the workgroup is waiting to hear more about the 2024 code development cycle. He also spoke about SB195 and the workgroup proposed to look at single exit stairwells in certain occupancies.

Little asked for further information on the single stairwell legislation. Milliken provided information on why the legislation was sought, including redevelopment of areas with small square footage, as well as the economic incentive of having only one stairwell. It was not supported in the last code cycle and is now going to a study. He clarified it was HB368 and SB195. Spencer Willett also stated that VDFP and SFMO were opposed to the legislation.

COMMENTS FROM THE COMMITTEE CHAIR

Steven Sites spoke about the business of the committee that would be discussed in Unfinished Business, as well as thanking them for being present for an evening meeting. Sites shared information from Keith Johnson related to Executive Order #19 and the fire code. The Department of Housing and Community Development recommended reopening the 2021 codes to make reductions as required in the executive order. BHCD met and voted against this, choosing instead to look at these reductions during the 2024 code cycle. Sites also spoke about the pace of the code cycle being faster because of this. Johnson has been working with DHCD

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staff about whether reductions made during previous cycles could be counted towards the executive order, allowing the 2024 cycle to go through its normal process.

UNFINISHED BUSINESS

a. Fire Prevention and Control Plan

The Fire Prevention and Control Plan was not included in the Board Packet. Sites suggested that at the next committee meeting this plan would be on the docket for final approval before being provided to the Virginia Fire Services Board (VFSB). He mentioned that the Department of Forestry would need to include further information, specifically including their dry hydrant grant program.

b. BHCD/VFSB MOU Update

Willett spoke about the document being at the Office of the Attorney General (OAG). The attorney's for BHCD and the VFSB are reviewing this document. Willett suggested a meeting between the two boards to go over the document, including Chief Johnson and Chief Sites. Sites clarified that the OAG was working on a path forward, not edits to the document. Willett confirmed this was the case.

NEW BUSINESS

a. 2024 Standard Fire Prevention Messaging

Sites spoke about the committee and VDFP Community Risk Reduction (CRR) working together to create Virginia specific messaging outside of fire prevention month. Virginia could focus on the issues affecting Virginia specifically, such as types of fires, etc. Sites asked the committee to think about this topic and bring ideas to the next meeting.

b. 2024 Fire Prevention and Codes Legislation

Sites stated that Andrew Milliken gave a good update on the single stairwell bill. Sites also spoke about HB66 and the number of fire drills required in schools. The Department of Education told schools that fire drills were conducted at a different interval than the fire code requires. HB66 would clarify that fire drills follow the fire code. Some legislators misinterpret this to create more fire drills.

Willett spoke about the fireworks legislation and the involvement of VDFP/SFMO. He further explained that the agency was asked to work with the sponsor of the bill to make changes. The sponsor took all edits recommended by VDFP/SFMO, leading to

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the agency supporting the legislation. Sites suggested that the fire service look at this legislation before next session because the sponsor plans to bring the bill back. He further spoke about this bill directing funding for fire departments and fire marshals from the sales. The fire service needs to weigh the risks posed by fireworks with the benefits offered. This legislation was permissive, and the fire service needs to consider what it could accept in this area.

Dennis Linaburg asked further questions about Title 9/27 and fire marshals. Sites spoke about the sudden release of the report and explained that he met with the sponsor of the bill requiring the workgroup which spurred its release. Sites stated that he felt the submission of the report from the Office of the Governor to the General Assembly after crossover was strategic.

Willett stated that the Department of Criminal Justice Services (DCJS) submitted the report before it was due. Both agencies followed up on the submission and could not get an answer relating to its status. The issue is that the report was provided after crossover and that the senate bill from the previous session required reenactment. Since the senate cannot act on senate legislation, this bill is dead. Willett suggested that stakeholders use the report to draft and support legislation next session. He also stated that VDFP will try and work with DCJS to draft legislation to submit as part of VDFP's legislative proposals. DCJS is ready to begin the process but will not take information from fire marshals until they are legally allowed to. DCJS will not hold information they are not legally allowed to hold.

Hux stated that HB66 had passed out of subcommittee moments before. Willett asked Hux to thank Assistant State Fire Marshal Bower for testifying in his stead.

ADJOURNMENT

Clerk of the Committee
Spencer R. Willett