

BOARD OF HOUSING AND COMMUNITY DEVELOPMENT
Codes and Standards Committee

January 31, 2024

All Virtual Meeting Via Microsoft Teams

Members Present

Louie Berbert
Claudia Cotton
Sean Farrell
Lynne Goldberg
Sylvia Hallock
Abigail Johnson
Keith Johnson
Roger Jones
Larry Murphy
J.M. Snell
Scott Stosser
Mark Trostle
Janet Wigglesworth

Members Absent

Richard Gregory

Call to Order

Mr. J.M. Snell, Vice Chair of the Codes and Standards Committee, called the meeting of the Committee to order at 12:18 p.m.

Roll Call

The roll was called by Mr. Chase Sawyer of the Department of Housing and Community Development Policy Office. Mr. Sawyer reported that a quorum was present.

Approval of Minutes

A motion was made and properly seconded to approve the minutes of the August 28, 2023, meeting of the Committee; the motion passed on a voice vote.

Notice of Intended
Regulatory Action
Pursuant to Executive
Order 19

Ms. Trisha Lindsey, DHCD Policy and Legislative Director, provided an overview of the regulatory process and the regulatory reduction requirements of Executive Order 19 (2022). Ms. Lindsey noted that additional information on the regulatory review process and the regulatory reduction requirements can be found on Town Hall.

Ms. Cindy Davis, DHCD Deputy Director, Building and Fire Regulations, provided an update on the proposed timeline for a 2021 special regulatory reduction code cycle.

Mr. Jeff Brown, DHCD State Building Codes Office Director, gave an update on staff efforts to comply with Executive Order

19 (2022), including assessing the regulations associated with the Uniform Statewide Building Code (USBC), Statewide Fire Prevention Code (SFPC), Industrialized Building Safety Regulations (IBSR), and Virginia Amusement Device Regulations (VADR). Mr. Brown highlighted certain sections of the USBC, not related to health, safety, and welfare, that contain regulations that could be simplified, modified, or reduced in order to achieve the goals of Executive Order 19.

Following staff presentations, committee members asked staff clarifying questions and discussed the regulatory process and the requirements of Executive Order 19 as it relates to the regulations promulgated by the Board. Committee members discussed the implications of a supplemental 2021 code development cycle and its associated timeline, as well as the affect it would have on the 2024 code development cycle. Committee members discussed the possibility of complying with Executive Order 19 within the 2024 code development cycle.

Ms. Claudia Cotton suggested that the Board should create a sub-workgroup during the 2024 code development cycle for the purposes of achieving regulatory reduction goals and that the current building codes should be left as-is.

Mr. Keith Johnson made a motion that was properly seconded to not approve the Notices of Intended Regulatory Action (NORIAS) as presented on the Committee's agenda and to direct DHCD staff to prepare NOIRAs in accordance with Executive Order 19 related to the 2024 code development process. Mr. Johnson spoke on his motion and stated opposition to delaying the 2024 code development cycle for fire safety reasons.

Committee members discussed the motion made by Mr. Johnson. Some committee members spoke in support of the motion. Committee members discussed the process currently used by the Board to update the regulations related to the building codes. Committee members further discussed the requirements of Executive Order 19 and its applicability to the regulations promulgated by the Board.

Mr. Farrell proposed a friendly amendment to Mr. Johnson's motion to add language to the motion to recognize the work already done during the 2021 code update cycle that reduced

regulations in accordance with Executive Order 19. Mr. Johnson accepted the amendment as friendly from Mr. Farrell.

Committee members continued to discuss the amended motion and the impacts it might have on the code development cycle. Committee members continued to discuss the requirements of Executive Order 19 as it relates to the regulations promulgated by the Board.

Mr. Johnson restated the amended motion that had been properly seconded to not approve the Notices of Intended Regulatory Action (NORs) as presented on the Committee's agenda and to direct DHCD staff to prepare NOIRs in compliance with Executive Order 19 related to the 2024 code development process and to consider the previous efforts of the Board related to regulatory reduction during the 2021 code cycle. The motion passed (YEAS: Cotton, Farrell, Goldberg, Hallock, A. Johnson, K. Johnson, Murphy, Snell, Stosser, Trostle; NAYS: Berbert, Jones, Wigglesworth; ABSENT: Gregory).

Other Business

There was no other business to be discussed.

Adjournment

Upon a motion duly made and seconded, the Codes and Standards Committee meeting was adjourned.