Region I, Report:  
Board of Directors Meeting January 31, 2020

To: VBCOA President, Jimmy Moss  
1st Vice President Matt Westheimer  
2nd Vice President Mike Eutsey  
Sergeant-at-Arms John Broughton

From: Terry Atwell  
Subject: Region I Report

Region 1 usually holds our meetings at 851 French Moore Blvd Abingdon, VA. 24210 on the second Thursday of even Months.

Due to the Corona Virus we held our August picnic meeting on August 13, 2020 at the Abingdon Farmers Market using social distancing and masks with 27 in attendance. Officers were elected for the 2021 year and they were Terry Atwell Chairman, Gary Jackson Vice Chairman, Bridgett McGlothlin Secretary and Mickey Rhea Treasurer. Various round table code discussions were held.

On September 10, 2020 using social distancing and masks with 25 in attendance we meet at Russell County Conference Center at 137 Highland Drive, Lebanon, VA 24266. Round table code discussions were held concerning 2015 Residential Fire separations.

Respectfully,
Terry Atwell, CBO  
City of Galax Building Official  
VBCOA Region I Chair  
111 E. Grayson Street Galax, VA 24333  
276-236-7297
Region II Report:

Board of Directors Meeting-October 16, 2020

Region II is scheduled to meet on the third Thursday of all odd months @ the South County Library in Roanoke or virtually via Zoom.

There has been one meetings since our last Board meeting.

- We met September 29, 2020, using Zoom. 30 members were in attendance. The training was about electronic plan reviews (especially during the pandemic). It was provided by Brian Hyatt from Versivo. Elections for officers will be held at our next meeting in November.

Respectfully,

Morgan Yates
Region II Chair
Building Commissioner / Roanoke County
Military Families Career Creation
Ad-Hoc
Submitted by David Beahm

During this time of shut downs and restrictions the Governor has signed legislation to attempt to ease/expedite the licensing requirements through DPOR and we have attempted to access this development to assist with our initiative. Even with this legislative signing it has been very difficult to get our foot in the door to potentially assist. Continuing to work on this effort.

Virginia Code Education Conference (VCEC)
Ad-Hoc
Submitted by David Beahm and Gregg Fields

VCEC has continued to meet virtually several times this year and continue to make progress on our next event. The Committee has decided to secure The Founders Inn near Virginia Beach which has been used by DHCD for Code Update Training in the past and has been very well received. The dates that have been chosen are November 1-3, 2021. Once a firm contract is completed the committee will send out a save the date so that jurisdictions can plan for this during their budget process and not attempt to pick and choose events that they might already be scheduled. All of the organizations are in the process to choose training topics and at this time we would request anyone that has any idea please let us know so that we can provide. The ideas that have been put forward are very informative and we are attempting to have some listed on the save the date information. It appears that Code Update Training may also be a part of this conference, but it would revolve around the Administrative portion.

Region III
Region Report
Submitted by David Beahm

Region III, as well as probably all of the Regions, has not met since earlier this year due to the current shut down of gatherings. Our last meeting was held in March in which we had Kelly Duggins provide an overview and survey of the Core Module to assist in updating the content. We are currently in the process of online voting for our new officers. We are not planning to meet in person until 2021, but that is still in flux. A request has been put out to have a Region III member to handle a virtual meeting process.
Region IV Report
Board of Directors Meeting October 16, 2020

Region IV meets every third Thursday of the month at the Wood Grill in Charlottesville, the August meeting was held virtually with September and October meetings resuming in person while adhering to the state and local guidelines for Covid-19. We also incorporated a virtual simulcast for those who could not attend in person.

The August meeting focused on education with a presentation by David Finkenbinder of Simpson Strong Tie on conventionally framed roofs. With all the truss roof components we see daily, it was a great refresher for those types of projects.

September was the first time meeting in person since the Corona Virus struck, all though a small group, it was good to see everyone. The meeting consisted of a roundtable discussion with various subjects such as: alternative construction methods, green houses used for growing hemp and other unique crops, a 31-million-dollar process facility for recycling plastic and the unique fire protection system to be installed, B&B’s and the code, practices being used to work with our customers during this time of material shortages such as TCO’s and sealing up openings to allow the work to continue until windows and doors are delivered. Discussion of violations and “Responsible Party” and the need for more clarity.

While meeting again in person this month, attendance was a little stronger while still simulcasting. We had two members retire over the past few months, Tom Elliot of Charlottesville and Paul Snyder of Louisa. We recognized Paul and presented him with an Honorary Member plaque, we will do the same for Tom hopefully at our next meeting. Officer nominations for 2021 were held and are as follows, Gary Fisher (Goochland County) for Chairman, Michael Dellinger (Albemarle County) for Vice-Chairman, Krystal Samuels (Greene County) for Secretary and Eric Woolford (Greene County) for Treasurer. Elections will be held at the November meeting.

Respectfully submitted by,

Bob Orr
Region IV Chairman
Region VI Report:
Board of Directors Meeting – October 16th 2020

Region VI meets on the 3rd Tuesday of every even month. Each meeting includes committee reports and training.

Region VI held a virtual meeting on August 18th 2020. There were 27 members in attendance. Training was provided by Jim Gogolski, Hoover - fire treated wood. Members voted to extend the term of officers for an additional year due to the difficulties presented by COVID-19.

Next meeting is scheduled for October 20th 2020

Name: Jason Laws
Region Chair
Region Report: Region VII

Board of Directors Meeting – October 16, 2020

Region VII meets on the third Wednesday of each month at the Middlesex County School Board offices in Saluda, Virginia OR remotely via Zoom.

**August 19th** – The August meeting was called to order at 10:00AM with 11 members in attendance. This meeting was held remotely. Richard Gordon provided a brief summary of 2018 IECC Commercial Energy Envelope changes and Residential changes. The group discussed requirements for blower door tests and Manual J calculations and the potential for requiring Manual J for all single family dwellings when the new code takes effect. Travis Luter provided a DHCD report electronically. Donald Brewster lead a discussion regarding proper use of expansion fittings for exterior locations in PVC conduit. Randy Cash lead a discussion regarding licensing for residential PV systems and a recent influx of unlicensed installers. Randy Olson identified recent issues with optional standby generators and carbon monoxide entry into dwellings. Certain climate conditions and building arrangements have resulted in higher than acceptable CO levels, even when equipment and exhaust are installed as prescribed by the IFGC and manufacturer’s instructions. The meeting was adjourned at 11:15AM.

**September 2020** – The September meeting was deferred.

The next Region VII meeting will take place on October 21st, 2020 and include training from DPOR for contractor licensure.

Richard T. Gordon, CBO

Region VII Chair
Time and Place:

Board of Directors Meeting October 16, 2020

VBCOA:
Board of Directors Meeting – Williamsburg Lodge in Williamsburg – December 14 (Monday), 2020
Annual School and Conference – Williamsburg Lodge in Williamsburg – December 14-16, 2020
Mid-Year Meeting – Shenandoah Valley Conference Center in Harrisonburg – March 21-22, 2021
Annual School and Conference – Marriott Virginia Beach Oceanfront in Virginia Beach – September 12-14, 2021

ICC
2020 Annual Conference – St. Louis MO – Cancelled
2021 Annual Conference and Group A Public Comment Hearings – Pittsburg Pa –
   Expo – September 19-20, 2021
   Public Comment Hearings – September 22-29, 2021

VPMIA
2020 Spring School of Instruction – Virginia Beach VA – Postponed
All other event items cancelled until further notice

Please visit the calendar on the VBCOA website for an expanded list of upcoming trainings and events.

Mike Eutsey, Second Vice President
John Broughton, Sergeant at Arms
Past President’s Report

The Past Presidents’ Council has not met during the pandemic; as such we have nothing new to report. However, work on finalizing Job Descriptions for the Immediate Past President position will be completed in the coming months and shall be presented at the Annual Conference in Williamsburg, Virginia in December.

On behalf of the Past Presidents Council, I’d like to thank President Moss, the Officers’ Corps and the Board of Directors for their continued leadership.

Respectfully submitted on this day of 2 day of October 2020,

Peter A. Mensinger
Pete Mensinger
Immediate Past President
Board of Directors Meeting – October 16, 2020

Nominations Committee Report

The Nominations Committee has not met during the pandemic. As such we have nothing new to report. However we will be advertising applications for the Officer Core Position Interviews in the coming weeks, which will occur during the Annual Conference in Williamsburg this December.

On behalf of the Nominations Committee, I’d like to thank President Moss, the Officers’ Corps and the Board of Directors for their continued leadership.

Respectfully submitted on this day of 2 day of October 2020,

Peter A. Mensinger

Pete Mensinger
Immediate Past President
October 1, 2020

The Awards and Resolutions Committee reports the following information:

Since our last report provided in July of 2020, the A&R Committee solicited and received 29 applications for the Emory R. Rogers’ Educational Scholarships to be applied to the Annual Conference to be now held in Williamsburg on December 14-16, 2020.

Additionally, President Moss, in communication with DHCD, sought and received approval for funding additional scholarships to be derived from the DHCD funds that VBCOA received for the ICC Conference and Code Hearings which was subsequently cancelled. He has advised this committee all 29 applicants are eligible for funding. As such, the A&R Committee provided notifications to the recipients they had been approved for the scholarship.

The scholarship includes complementary conference registration and (2) night accommodation at the Williamsburg Lodge, 310 S. England Street (if needed) for scholarship recipients. Other associated conference costs remain the responsibility of the individual VBCOA scholarship recipient or their jurisdiction.

Report respectfully submitted by,

Mike Williams, Awards and Resolutions Committee Co-Chair
Pat Hughes, Awards and Resolutions Committee Co-Chair

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Sandy – I have no Energy Committee report to submit for the October 16th VBCOA Board of Directors meeting.

Thank you

Rick Statzer
Board of Directors Meeting – October 16, 2020

Building Code Committee Report

The VBCOA Building Code Committee has been reviewing select code change proposals for the final phase of the 2018 Virginia Code Development Process through virtual meetings and email discussions to determine positions for code change proposals:

8/10/20  Virtual meeting to discuss the final remaining combined workgroup changes to the building code; there were nine committee members in attendance.

8/11/20  Committee positions on remaining proposed code changes were presented and members testified on select proposed code changes at the DHCD Combined Workgroup 1-4 Meeting.

9/1/20   Committee members attended the DHCD Combined Workgroup 1-4 Meeting – no formal committee positions were presented since the agenda did not include proposals under the purview of the committee.

Respectfully submitted this day of October 15th, 2020,

Dan Willham

Dan Willham
Building Code Committee Chair
The Permit Technician Committee held a conference call on September 11, 2020.

Virtual training options are being shared with committee members to share in their regions. These are important to provide needed continuing education hours.

Our next conference call is scheduled for November 13, 2020.

Respectfully,

Paula Fristoe
Chair Permit Technician Committee
September 28, 2020

TO: VBCOA President James S. Moss
   1st Vice President Matt Westheimer
   2nd Vice President Michael J. Eutsey
   Sergeant at Arms John Broughton
   VBCOA Membership
   Honored guests

FROM: Jason Laws and Richard Moore IRC Committee Chairs

SUBJECT: IRC Committee Update

Since the last Board of Directors meeting the IRC Committee met to develop positions for the non-consensus proposals. The meetings were both in person, following social distancing guidelines, on August 3, 2020 and virtually on August 28, 2020. The committee’s positions were documented and forwarded to Sean Farrell.
Thanks to everyone that participated in this endeavor.

Thank you,

Richard Moore and Jason Laws
No written report for Legislative.

Ron
Date: October 14, 2020

Once again due to Covid-19 the Property Maintenance Committee has not met. We have had discussions about the changes to the VMC code and potential changes. I have attached the 5 proposals effecting the VMC to this board report.

Respectfully,

Earl Weaver  
Earl.weaver@richmond.gov.com  
804-646-6869  
Property Maintenance Committee
2015 Virginia Maintenance Code

105.2 Notices, reports and orders. Upon findings by the code official that violations of this code exist, the code official shall issue a correction notice or notice of violation to the owner or the person responsible for the maintenance of the structure. Work done to correct violations of this code subject to the permit, inspection and approval provisions of the VCC shall not be construed as authorization to extend the time limits established for compliance with this code. When the owner is not the responsible party to whom the notice of violation or correction notice is issued, a copy of the notice shall also be delivered to the owner.

2015 Virginia Statewide Prevention Fire Code

111.2 Service. The written notice of violation of this code shall be served upon the owner, a duly authorized agent or upon the occupant or other person responsible for the conditions under violation. Such notice shall be served either by delivering a copy of same to such persons by mail to the last known post office address; by delivering in person or by delivering it to and leaving it in the possession of any person in charge of the premises; or, in the case such person is not found upon the premises, by affixing a copy thereof in a conspicuous place at the entrance door or avenue of access. Such procedure shall be deemed the equivalent of personal notice. When the owner is not the responsible party to whom the notice of violation or correction notice is issued, a copy of the notice shall also be delivered to the owner or owner’s agent.

Reason Statement: This code change is being submitted at the request of Virginia Senator Stuart consistent with SB141 2020. This was prompted by a building that caught fire after numerous maintenance and fire prevention code violations were cited, which were never brought to the attention of the building owner. The bill is below:

2020 SESSION

SENATE BILL NO. 141
Offered January 8, 2020
Prefiled December 18, 2019
A BILL to amend the Code of Virginia by adding sections numbered 27-97.01 and 36-98.02, relating to building and fire codes; notice requirements.

Resiliency Impact Statement: This proposal will neither increase nor decrease Resiliency.

Cost Impact: The code change proposal will not increase or decrease the cost of construction
This proposal is administrative and has no impact on cost.

PM106-18
VMNC: , 103.2, SECTION 106, 106.1, 106.2, 106.3, 106.3.1, 106.4, 106.4.1, 106.5, 106.6, 106.7, 106.8; VEBC: 1101.18 (New);
VMNC: 105.2,
105.4, 105.6
Proponents: Ronald Clements Jr (clementsro@chesterfield.gov)

2015 Virginia Maintenance Code

UNSAFE STRUCTURE.
An existing A structure (i) or building determined by the code official to be dangerous to the health, safety and welfare of the occupants of the structure occupants or the public ; (ii) that contains unsafe equipment; or (iii) that is so damaged, decayed, dilapidated, structurally unsafe or of such faulty construction or unstable foundation that partial or complete collapse is likely. A vacant existing structure unsecured or open shall be deemed to be an unsafe structure. because of one or more of the following conditions:
1. The degree to which the structure lacks proper ventilation, illumination, sanitary or heating facilities or other essential equipment;
2. The required plumbing and sanitary facilities are inoperable;
3. The structure contains unsafe equipment ;
4. The degree of deterioration , disrepair, faulty construction or damage;
5. The structure is an existing building or existing structure, which is vacant and unsecured or open.

STRUCTURE UNFIT FOR HUMAN OCCUPANCY.
An existing structure determined by the code official to be dangerous to the health, safety and welfare of the occupants of the structure or the public because (i) of the degree to which the structure is in disrepair or lacks maintenance, ventilation, illumination, sanitary or heating facilities or other essential equipment, or (ii) the required plumbing and sanitary facilities are inoperable.

103.2 Maintenance requirements. Buildings, structures and systems shall be maintained and kept in good repair in accordance with the requirements of this code and when applicable in accordance with the USBC under which such building or structure was constructed. No provision of this code shall require alterations to be made to an existing building or structure or to equipment unless conditions are present which meet the definition of an unsafe structure or a structure unfit for human occupancy.

SECTION 106

UNSAFE STRUCTURES OR STRUCTURES UNFIT FOR HUMAN OCCUPANCY STRUCTURES
106.1 General. This section shall apply to existing structures which are classified as unsafe or unfit for human occupancy. unsafe structures . All conditions causing such structures to be classified as unsafe or unfit for human occupancy unsafe shall be remedied ; or , as an alternative to correcting such conditions, the structure may be vacated and secured against public entry , or razed and removed. demolished. Vacant and secured structures shall still be subject to other applicable requirements of this code. Notwithstanding the above, when the code official determines that an unsafe structure or a structure unfit for human occupancy constitutes constitutes such a hazard that it should be razed or removed demolished, then the code official shall be permitted to order the demolition of such structures in accordance with applicable requirements of this code.

Note: Structures which become unsafe during construction are regulated under the VCC.

106.2 Inspection Report of unsafe or unfit structures. The code official shall inspect any structure reported or discovered as unsafe or unfit for human habitation and shall prepare a report to After inspecting and determining a building or structure is an unsafe structure , the code official shall prepare a report that shall include a description of the nature and extent of the unsafe conditions. The report shall be filed in the records of the local enforcing agency and a copy shall be issued to the owner. The report shall include the use of the structure and a description of the nature and
extent of any conditions found. owner.

106.3 Unsafe conditions not related to maintenance. When the code official finds a condition that constitutes a serious and dangerous hazard to life or health in a structure constructed prior to the initial edition of the USBC and when that condition is of a cause other than improper maintenance or failure to comply with state or local building codes that were in effect when the structure was constructed, then the code official shall be permitted to order those minimum changes to the design or construction of the structure to remedy the condition.

106.3.1 Limitation to requirements for retrofitting. In accordance with Section 103.2, this code does not generally provide for requiring the retrofitting of any structure. However, conditions may exist in structures constructed prior to the initial edition of the USBC because of faulty design or equipment that constitute a danger to life or health or a serious hazard. Any changes to the design or construction required by the code official under this section shall be only to remedy the serious hazard or danger to life or health and such changes shall not be required to fully comply with the requirements of the VCC applicable to newly constructed buildings or structures.

106.4 Notice of unsafe structure or structure unfit for human occupancy. When a structure is determined to be unsafe or unfit for human occupancy by the code official to be an unsafe structure, a written notice of unsafe structure or structure unfit for human occupancy shall be issued by personal service to the owner, the owner’s agent or the person in control of such structure. The notice shall specify the corrections necessary to comply with this code, or and specify the time period within which the corrections shall occur; or, if the structure is required to be demolished, the notice shall specify the time period within which the demolition must occur. Requirements in Section 105.2 for notices of violation are The provisions of Sections 105.5, 105.6 and 105.7 of this code are also applicable to notices issued under this section to the extent that any such requirements are not in conflict with the requirements of this section. section.

Note: Whenever possible, the notice should also be given to any tenants of the affected structure.

106.4.1 Vacating unsafe structure. Service of notice. If the code official determines there is actual and immediate danger to the occupants or public, or when life is endangered by the occupancy of an unsafe structure, the code official shall be authorized to order the occupants to immediately vacate the unsafe structure. When an unsafe structure is ordered to be vacated, the code official shall post a notice with the following wording at each entrance: "THIS STRUCTURE IS UNSAFE AND ITS OCCUPANCY (OR USE) IS PROHIBITED BY THE CODE OFFICIAL." After posting, occupancy or use of the unsafe structure shall be prohibited except when authorized to enter to conduct inspections, make required repairs or as necessary to demolish the structure.

The notice of unsafe structure shall be served by either: personal service to the owner, the owner’s agent, or the person in control of such structure; or, by registered or certified mail to the last known address of the responsible party with a copy of the notice posted in a conspicuous place on the premises. Tenants of the affected structure shall be provided copies of the notice.

106.5 Posting of notice. Vacating unsafe structure. If the notice is unable to be issued by personal service as required by Section 106.4, then the notice shall be sent by registered or certified mail to the last known address of the responsible party and a copy of the notice shall be posted in a conspicuous place on the premises.

The code official is authorized to order occupants to vacate the unsafe structure or prohibit occupancy of the unsafe structure. When an unsafe structure is ordered to be vacated or prohibited from occupancy, the code official shall include the order in the notice of unsafe structure, or issue a separate order.

106.6 Posting of placard. In the case of a structure unfit for human habitation, at the time the notice is issued, a placard An unsafe structure that has been issued an order to vacate or prohibited from occupancy shall be posted with the following wording shall be posted at the each entrance to the structure: "THIS STRUCTURE IS UNFIT FOR HABITATION UNSAFE AND ITS USE OR OCCUPANCY HAS BEEN IS
PROHIBITED BY THE CODE OFFICIAL." In the case of an unsafe structure, if the notice is not complied with, a placard with the above wording shall be posted at the entrance to the structure. After a structure is placarded, entering the structure shall be prohibited except as authorized by the code official to make inspections, to perform required repairs or to demolish the structure. In addition, the placard shall not be removed until the structure is determined by the code official to be safe to occupy, nor shall the placard be defaced.

106.7 106.5 Revocation of certificate of occupancy. If a notice of unsafe structure or structure unfit for human habitation is not complied with within the time period stipulated on the notice, the code official shall be permitted to request the local building department to revoke the certificate of occupancy issued under the VCC.

106.8 106.6 Vacant and open structures. When an unsafe structure structure or a structure unfit for human habitation is open for public entry at the time a placard is issued under Section 106.6, the code official shall be permitted to authorize the necessary work to make such structure secure against public entry whether or not legal action to compel compliance has been instituted.

106.9 106.7 Emergency repairs and demolition. To the extent permitted by the locality, the code official may authorize emergency repairs to unsafe structures or structures unfit for human habitation when it is determined that there is an immediate danger of any portion of the unsafe structure or structure unfit for human habitation collapsing or falling and when life is endangered. Emergency repairs may also be authorized where there is a code violation resulting in the immediate serious and imminent threat to the life and safety of the occupants. The code official shall be permitted to authorize the necessary work to make the structure temporarily safe whether or not legal action to compel compliance has been instituted. In addition, whenever an owner of an unsafe structure or structure unfit for human habitation fails to comply with a notice to demolish issued under Section 106.4 in the time period stipulated, the code official shall be permitted to cause the structure to be demolished. In accordance with §§ 15.2-906 and 15.2-1115 of the Code of Virginia, the legal counsel of the locality may be requested to institute appropriate action against the property owner to recover the costs associated with any such emergency repairs or demolition and every such charge that remains unpaid shall constitute a lien against the property on which the emergency repairs or demolition were made and shall be enforceable in the same manner as provided in Articles 3 (§ 58.1-3490 et seq.) and 4 (§ 58.1-3965 et seq.) of Chapter 39 of Title 58.1 of the Code of Virginia.

Note: Code officials and local governing bodies should be aware that other statutes and court decisions may impact on matters relating to demolition, in particular whether newspaper publication is required if the owner cannot be located and whether the demolition order must be delayed until the owner has been given the opportunity for a hearing. In addition, historic building demolition may be prevented by authority granted to local historic review boards in accordance with § 15.2-2306 of the Code of Virginia unless determined necessary by the code official.

106.10 106.8 Closing of streets. When necessary for public safety, the code official shall be permitted to order the temporary closing of sidewalks, streets, public ways or premises adjacent to unsafe or unfit structures unsafe structures and prohibit the use of such spaces.

2015 Virginia Existing Building Code

Add new text as follows:

1101.18 Pre-USBC Faulty Design or Equipment. When the code official finds a condition that constitutes a serious and dangerous hazard to life or health in a structure constructed prior to the initial edition of the USBC because of faulty design or equipment, and when that condition is of a cause other than improper maintenance or failure to comply with state or local building codes that were in effect when the structure was constructed, then the code official shall be permitted to order those minimum changes to the design or construction of the structure to remedy the condition. Any changes to the design or construction required by the code official under this section shall be only to remedy the serious hazard or danger to life or health and such changes shall not be required to fully comply with the requirements of this code.
2015 Virginia Maintenance Code

105.2 Notices, reports and orders. Upon findings by the code official that violations of this code exist, the code official shall issue: a correction notice or notice of violation to the owner or the person responsible for the maintenance of the structure. structure in accordance with this Section; or,
a notice of unsafe structure in accordance with Section 106 when a building or structure is determined by the code official to be an unsafe structure . Work done to correct violations of this code subject to the permit, inspection and approval provisions of the VCC shall not be construed as authorization to extend the time limits established for compliance with this code.

105.4 Notice of violation. If the code official determines there are violations of this code a written notice of violation may be issued to the owner or the person responsible for the maintenance or use of the building or structure in lieu of a correction notice as provided for in Section 105.3. In addition, the code official shall issue a notice of violation for any uncorrected violation remaining from a correction notice established in Section 105.3. The code official shall provide the section numbers to the owner for any code provisions cited in the notice of violation. The notice shall require correction of the violation or violations within a reasonable time. The owner or person to whom the notice of violation has been issued shall be responsible for contacting the code official within the time frame established for any re-inspections to assure the violations have been corrected. The code official will be responsible for making such inspection and verifying the violations have been corrected. In addition, the notice of violation shall indicate the right of appeal by referencing the appeals section of this code.

Exceptions Exception:
1. Notices issued, and legal proceedings or emergency actions taken, under Section 106 for unsafe structures, unsafe equipment or structures unfit for human occupancy.
2. Notices issued for Notices issued for failing to maintain buildings and structures as required by Section 103.2, as evidenced by multiple or repeated violations on the same property, are not required to include a compliance deadline for correcting defects.

105.6 Further action when violation not corrected. If the responsible party has not complied with the notice of violation or notice of unsafe structure, the code official may request the legal counsel of the locality to institute the appropriate legal proceedings to restrain, correct or abate the violation or to require the removal or termination of the use of the building or structure involved. In cases where the locality or legal counsel so authorizes, the code official may issue or obtain a summons or warrant.

Reason Statement: The overall intent of this code change is to simplify the unsafe building provisions of the VMC and get rid of the two version of unsafe and unfit and combine them into one definition and process.

Unsafe Structure and Structure Unfit for Human Occupancy definitions- The two definitions are a distinction without a difference. Both definitions are defining structures that are “determined by the code official to be dangerous to the health, safety, and welfare of the occupants of the structure or the public” That is the base definition in both definitions. They are the same. Where they differ is in what constitutes the quoted phrase above in each definition. Why does it matter? Dangerous is dangerous. To correct this both definitions have been combined into the definition of Unsafe structure and Structure Unfit for Human occupancy has been deleted. The new list in the unsafe structure definition is a combination of both lists from both definitions. With the deletion of the Unfit for Human Occupancy definition, the term has been deleted throughout the code sections.

106.2- This section was cleaned up to focus on the reporting requirement.
106.3, 106.3.1 and VEB 1101.18- There is a separate code change submitted to remove the sections from the USBC completely as they are retrofit provisions that are at the complete discretion of the code official and should not be in code. For this change, assuming the provisions are maintained, they are proposed to be moved to the VEB chapter 11 since this is a retrofit construction requirement that is the code and section where they belong.
106.3- This section relies on a very interpretive reference back to 105.2 “to the extent that such reference does not conflict with this requirement.”

To clean this up and make it clear what you go to 105.2 for I have added the requirement to specify a time frame to make corrections in this section and specified the exact sections in 105 that are applicable (105.5-105.7).

106.3.1- The provision for serving a notice has been consolidated in this section and the section.

106.4- The provision for vacating a structure has been consolidated in this section and the section. The requirement to vacate a structure was a higher bar for unsafe verses unfit, which is inconsistent since both conditions are “dangerous to the health, safety, and welfare of the occupants of the structure or the public.” The final decision is and always has been a judgement call by the code official so that fact is reflected in the proposed text.

106.4.1- The provisions for posting a structure have been consolidated in this section and the section. There is now just one placard.

106.5-106.7- Just removed the unfit term.

The following sections are in the code change out of order so that the changes to 106 would be understood before reviewing the 105 changes.

105.2, 105.6- Adding the unsafe structure notice to the list of notices that may be issued and the further action provision.

105.4- Exception #1 does not actually provide for anything. It does not specify what it is exempting and with the proposed amendments to section 106.3 whatever it was meant to accomplish is not necessary.

**Resiliency Impact Statement:** This proposal will neither increase nor decrease Resiliency

This does not address resiliency.

**Cost Impact:** The code change proposal will not increase or decrease the cost of construction

This code change does not affect construction cost as it is a maintenance provision.
PM105.4-18
VMNC: 105.4
Proponents: W Shaun Pharr (spharr@aoba-metro.org)

2015 Virginia Maintenance Code

105.4 Notice of violation. If the code official determines there are violations of this code a written notice of violation may be issued to the owner, tenant or the person responsible for the maintenance or use of the building or structure in lieu of a correction notice as provided for in Section 105.3.

In addition, the code official shall issue a notice of violation for any uncorrected violation remaining from a correction notice established in Section 105.3. The code official shall provide the section numbers to the owner for any section numbers for any code provisions cited in the notice of violation. The notice shall require correction of the violation or violations within a reasonable time. The owner, tenant or person to whom the notice of violation has been issued shall be responsible for contacting the code official within the time frame established for any re-inspections to assure the violations have been corrected.

The code official will be responsible for making such inspection and verifying the violations have been corrected. In addition, the notice of violation shall indicate the right of appeal by referencing the appeals section of this code.

Exceptions:
1. Notices issued, and legal proceedings or emergency actions taken, under Section 106 for unsafe structures, unsafe equipment or structures unfit for human occupancy.
2. Notices issued for failing to maintain buildings and structures as required by Section 103.2, as evidenced by multiple or repeated violations on the same property, are not required to include a compliance deadline for correcting defects.

Reason Statement: The Virginia Residential Landlord and Tenant Act (VRLTA) requires that a rental housing provider “maintain fit premises.” However, it also specifically provides that “a landlord and tenant may agree in writing that the tenant perform” certain of the landlord’s specified duties (see excerpts below from Section 55.1-1220). Thus, a tenant, rather than a property owner, may be the responsible party to whom a code official should issue a notice of correction or notice of violation, depending on the maintenance duty in question. Some code officials, though, are unaware that the General Assembly has authorized such limited transfers of maintenance responsibilities, while others do not always recognize the right of parties to a lease to make such an agreement, and will cite only the owner or managing agent. In either case, the General Assembly’s intent is defeated.

This code change proposal provides clarity to code officials, tenants and owners by including specific reference to tenants as possible recipients of...
a correction notice or notice of violation, and also makes a technical insertion, for consistency, of language appearing earlier in the section.

Resiliency Impact Statement: This proposal will neither increase nor decrease Resiliency

Cost Impact:
This code change proposal will have no effect whatsoever on the cost of construction.

PM604.3.1.1-18
VMNC: 604.3.1.1
Proponents: Haywood Kines (hkines@pvccgov.org)

2015 Virginia Maintenance Code

604.3.1.1 Electrical equipment. Electrical distribution equipment, motor circuits, power equipment, transformers, wire, cable, flexible cords, wiring devices, ground fault circuit interrupters, surge protectors, molded case circuit breakers, low-voltage fuses, luminaires, ballasts, motors, and electronic control, signaling, and communication equipment that have been exposed to water shall be replaced in accordance with the provisions of the VCC.

Exception: The following equipment shall be allowed to be repaired or reused where an inspection report from the equipment manufacturer, an approved representative of the equipment manufacturer, a third-party licensed or certified electrician Third-party inspector per Section 113.7 of the VCC, or an electrical engineer indicates that the exposed equipment has not sustained damage that requires replacement:
1. Enclosed switches, rated 600 volts or less;
2. Busway, rated 600 volts or less;
3. Panelboards, rated 600 volts or less;
4. Switchboards, rated 600 volts or less;
5. Fire pump controllers, rated 600 volts or less;
6. Manual and magnetic motor controllers;
7. Motor control centers;
8. Alternating current high-voltage circuit breakers;
9. Low-voltage power circuit breakers;
10. Protective relays, meters and current transformers;
11. Low- and medium-voltage switchgear;
12. Liquid-filled transformers;
13. Cast-resin transformers;
14. Wire or cable that is suitable for wet locations and whose ends have not been exposed to water;
15. Wire or cable, not containing fillers, that is suitable for wet locations and whose ends have not been exposed to water;
16. Luminaires that are listed as submersible;
17. Motors; or
18. Electronic control, signaling and communication equipment.

Reason Statement: The protective components of the electrical equipment and materials are critical to the safe operation of the electrical
system. Their ability to protect the electrical system is adversely affected by exposure to fire, heat, and to contaminated water from sprinkler systems or fire fighting equipment. Listed cable assemblies, molded case circuit breakers, all electronic devices such as AFCI’s, GFCI’s, Smoke Alarms, Luminaires, etc. are devices that cannot be repaired per NEMA Standards.

Resiliency Impact Statement: This proposal will increase Resiliency
This will increase the level of safety for all residential and commercial buildings that have been exposed to damaged electrical systems from flooding, exposure to water from Fire Fighting, and heat from exposure to fires. This allows the Building Official to determine the qualifications for the agency and/or inspectors performing the evaluations on these systems.

Cost Impact: The code change proposal will not increase or decrease the cost of construction
This proposal is intended to assure the electrical systems and equipment is undamaged and still safe to operate per its original listing and installation requirements. Having qualified inspectors that understand electrical systems and have to perform the evaluation will assure the buildings are safe for occupancy.

PM105.2-18
VMNC: 105.2
Proponents: W Shaun Pharr (spharr@aoba-metro.org)

2015 Virginia Maintenance Code

105.2 Notices, reports and orders. Upon findings by the code official that violations of this code exist, the code official shall issue a correction notice or notice of violation to the owner, tenant or the person responsible for the maintenance of the structure. Work done to correct violations of this code subject to the permit, inspection and approval provisions of the VCC shall not be construed as authorization to extend the time limits established for compliance with this code.

Reason Statement: The Virginia Residential Landlord and Tenant Act (VRLTA) requires that a rental housing provider “maintain fit premises.” However, it also specifically provides that “a landlord and tenant may agree in writing that the tenant perform” certain of the landlord’s specified duties (see excerpts below from Section 55.1-1220). Thus, a tenant, rather than a property owner, may be the responsible party to whom a code official should issue a notice of correction or notice of violation, depending on the maintenance duty in question. Some code officials, though, are unaware that the General Assembly has authorized such limited transfers of maintenance responsibilities, while others do not always recognize the right of parties to a lease to make such an agreement, and will cite only the owner or managing agent. In either case, the General Assembly’s intent is defeated.

This code change proposal provides clarity to code officials, tenants and owners by including specific reference to tenants as possible recipients of a correction notice or notice of violation.

Resiliency Impact Statement: This proposal will neither increase nor decrease Resiliency

Cost Impact:
This code change proposal will have no effect whatsoever on the cost of construction.

Respectfully,

Earl Weaver
Property Maintenance Committee
Greetings Board members,

The second round of the 2018 Virginia code development cycle is coming to a close. Workgroup meetings have concluded as they relate to the VPMIA/VBCOA PMG Committee, and the Board of Housing and Community Development will meet October 19 to review final proposals. This is a summary of the VPMIA/VBCOA PMG Committee activities during the Virginia 2018 regulatory process.

The following is the results of proposals submitted on behalf of the VPMIA/VBCOA PMG Committee.

1. These proposals received Consensus Approval from the Workgroups and Approved as Submitted from BHCD:
   a. E403.2.8-18 Delete Kitchen Exhaust from IECC
   b. RTP3011-18 and TP 717-18 Relining of Building Sewers and Building Drains
   c. TM506.5.6-18 Pollution Control Units
   d. TM510.7.1.1-18 Hazardous Duct Shaft Penetrations
   e. TP202-18 Service Sink Definition
   f. TP410.4-18 Drinking Fountain Substitution
   g. TP423.1-18 Pedicure Baths
   h. TP605.2.1-18 Lead Content of Drinking Water Pipe and Fittings
   i. TP705.11.2-18 Solvent Cement
   j. TP1101.7-18 Roof Design
   k. TP1105.2-18 Roof Drain Flow Rate
   l. TP1110-18 Roof Drain – Values for Continuous Flow
   m. TP1303.1-18 General (Rainwater Harvesting Alternative)

2. These proposals received Non-Consensus from the Workgroups and Disapproval from BHCD:
   a. TP608.13.6-18 Atmospheric-type Vacuum Breakers
      i. Non-Consensus reason statement – This is a maintenance issue, not a new construction issue.
   b. TP608.16.7-18 Chemical Dispensers
      i. Non-Consensus reason statement - This is a maintenance issue, not a new construction issue.

3. These proposals received Consensus Approval from the Workgroups and will be heard by BHCD on 10/18/20:
   a. RTP608.15-18 Access to Backflow Preventers
   b. RTP2801.6-18 Required Water Heater Pan
   c. TM505.5-18 Common Domestic Kitchen Exhaust
   d. TM403.3.1-18 Doctor/Dental Office Ventilation Rates
   e. TP403.3.3-18 Location of Toilets in Group S
   f. TP2902.1-18 Single-user Toilets
      i. Note: This proposal is a backup to TP1209.3.1-18. Should TP1209.3.1-18 be disapproved at any point in the regulatory process, this proposal, which does not contain provisions for gender-neutral, multi-user toilet facilities, still contain important provisions for single-user toilet facilities (included in TP1209.3.1-18) that we want to be included in the 2018 adoption.
4. These proposals received Non-Consensus from the Workgroups and will be heard by BHCD on 10/18/20:
   a. B713.8-18 Shaft Penetrations, Fire Barriers/Horizontal Assemblies
      i. Non-Consensus reason statement - The VBCOA Building Code Committee opposes this change on the basis that the current language is sufficient as-is.
   b. B713.11-18 Bottom of the Shaft, Fire Damper Provision
      i. Non-Consensus reason statement - The VBCOA Building Code Committee opposes; the committee believes the current code language suffices.

5. These proposals took a different path:
   a. RE403.3.1-18 Insulation (Ducts) – Withdrawn. After many comments generated in the workgroup meetings by individuals that believed exhaust ducts were intentionally excluded from this provision on the ICC level, I discovered after more researched that the comments were accurate and withdrew the proposal.
   b. IBC 717.6.1/IMC 607.6.1 - Horizontal Assembly Duct Penetrations – Not Submitted. After discussions with the VBCOA Building Code Committee and other professional resources, it was determined that this proposal was not appropriate. In fact, the change that was made to IBC 717.6.3/IMC 607.6.3, as modified by the ICC Committee (by which this proposal was generated) was not appropriate either (FS-116-12). Fire damper listings and manufacturer instructions have provisions for these types of installations that include the installation of non-combustible materials between the fire damper and combustible materials. Basically, fire dampers may be installed in combustible horizontal assemblies when installed in accordance with the listing that includes such installation instruction.

The following is the results of proposals supported by the VPMIA/VBCOA PMG Committee but not submitted by the committee:

1. This proposal received Consensus Approval from the Workgroups and Approved as Submitted from BHCD:
   a. RE403.3.5-18 Building Cavities

2. These proposals received Consensus Approval from the Workgroups and will be heard by BHCD on 10/18/20:
   a. A101.6-18 Conflicts/Order of Precedence
   b. E404.5-18 Heated Water Supply Piping
   c. TP1209.3.1-18 Multi-user Gender-neutral Toilet Facilities

Other proposals of interest.

1. TP2902.1-18 Minimum Plumbing Fixtures. It is not clear when this proposal was submitted, so I was not able to forward on to this committee prior to the Workgroup meeting that heard it. This proposal will delete all sections of VCC Section 2902 except 2902.1 which would read:

   [P] 2902.1 Minimum number of fixtures. Plumbing fixtures shall be provided in the minimum number as shown in Table 2902.1-403.1 of the VPC based on the actual use of the building or space. Uses not shown in Table 2902.1-403.1 of the VPC shall be considered individually by the code official. The number of occupants shall be determined by this code.

   This proposal received Consensus Approval from the Workgroups and will be heard by BHCD on 10/18/20.

ICC has released its schedule for the 2021/2022 Code Development cycle. The deadline for receipt of code change proposals for Group A is January 11, 2021 and for Group B is January 10, 2022. Group A contains the codes that all the proposals listed above are relevant to. Many of these proposals will be forwarded to the I code level. Time is running short. CAH for Group A will be held in Rochester, NY on April 11 – 21, 2021.

Thank you. This concludes my report. Please let me know if there are any questions.

Richard Grace
VPMIA/VBCOA PMG Committee Chairman
703-324-1687
From: Tom Coghill <Tom.Coghill@jamescitycountyva.gov>
Sent: Monday, October 12, 2020 3:32 PM
To: 'James Moss' <jmoss@galaxva.com>; Eutsey, Michael <EutseyM@chesterfield.gov>
Cc: Sandy Harrington <sharrington@vml.org>
Subject: RE: Public Information Committee Report

Jimmy,

Unfortunately, I do not have much of a report for this Friday. I asked at our last BOD meeting for news articles and photos. You, Mike and Randy sent me some good stuff which I forwarded back to you and Mike but none of the other regions sent me anything.

Mike’s wife was able to help format and produce the summer newsletter. I don’t know if she or anyone else has had time or resources to format and produce the next (Fall) edition. What do you advise?

Tom
AdHoc Fire Code Committee
We have completed our work in reviewing all of the Fire Prevention Code Chapters that the Fire Service Board Code Committee requested and we and other stakeholders achieved consensus on the majority of their requests. The remaining non-consensus items should be held over to the next code cycle.

If anyone should have questions concerning these reports, please contact me at 804 543-2753 or golfwitt9@gmail.com
Thanks,
Rick
Board of Directors Meeting  
Virtual Meeting  
October 16, 2020  

Submitted by David Beahm  

Military Families Career Creation  
Ad-Hoc  
Submitted by David Beahm

During this time of shut downs and restrictions the Governor has signed legislation to attempt to ease/expedite the licensing requirements through DPOR and we have attempted to access this development to assist with our initiative. Even with this legislative signing it has been very difficult to get our foot in the door to potentially assist. Continuing to work on this effort.
Virginia Code Education Conference (VCEC) 
Ad-Hoc 
Submitted by David Beahm and Gregg Fields

VCEC has continued to meet virtually several times this year and continue to make progress on our next event. The Committee has decided to secure The Founders Inn near Virginia Beach which has been used by DHCD for Code Update Training in the past and has been very well received. The dates that have been chosen are November 1-3, 2021. Once a firm contract is completed the committee will send out a save the date so that jurisdictions can plan for this during their budget process and not attempt to pick and choose events that they might already be scheduled. All of the organizations are in the process to choose training topics and at this time we would request anyone that has any idea please let us know so that we can provide. The ideas that have been put forward are very informative and we are attempting to have some listed on the save the date information. It appears that Code Update Training may also be a part of this conference, but it would revolve around the Administrative portion.
Hi Sandy,

I only have a small update for the last months. There was misc updates not really worth noting.

Added 25 job postings
Add ICC Report for August and September
VBCOA Director of Regulatory Compliance: Sean P. Farrell  
Report of the Board of Housing and Community Development  

The Board of Housing and Community Development has met once since the last VBCOA Board meeting: September 28, 2020  

- BHCD has 4 new members:  
  - Claudia Cotton CD 3 HBAV  
  - Monique Johnson CD 4 Better Housing Coalition  
  - Sylvia Hallock CD 5 Habitat for Humanity  
  - Mark Jackson CD 9 Community Housing Partners - Energy  
- Conducted Board elections  
  - Sonny Abbasi CD11 is the new Chair  
  - Brett Meringoff CD 10 is the new Vice Chair and Chair of the Codes and Standards Committee  
- Amended the Enterprise Zone Regulations  
- Reviewed and acknowledged the updated tentative code change schedule  
  - October 19: BHCD’s SFP CDC meets to consider proposals for final regulation for the SFPC. BHCD’s CSC meets to consider proposals for final regulations for the SFPC, USBC, VADR and IBSR.  
  - November 2020 Notification to VFSB of December joint meeting  
  - December 14: BHCD’s SFP CDC meets to review final regulation for SFPC. BHCD’s CSC meets to review final regulation for SFPC as recommended by SFP CDC and to review final regulations for USBC, VADR and IBSR. Immediately following Committee meetings, the joint meeting of VFSB and BHCD to consider approval of final regulations for SFPC followed by BHCD to consider approval of final regulations for the SFPC, USBC, VADR and IBSR.  
  - December/January: Obtain statutory authority letter from Office of Attorney General for final regulations and obtain permission from Secretary of Commerce and Trade and Governor’s Office to publish final regulations.  
  - January – March: Final regulations for SFPC, USBC, VADR and IBSR published in Virginia Register.  
  - July – September: 2018 SFPC, USBC, VADR and IBSR become effective (pending any petitions received during the 30-day final adoption period following the publishing of the final regulations).
2015 Virginia Building and Fire Code Related Regulations

Revise as follows:

13VAC5-21-51. Issuance of certificates.

A. Certificates will be issued when an applicant has complied with the applicable requirements of this chapter. Certificate holders will be classified as active or inactive. An active certificate holder is a person who is certified and who has attended all periodic training courses designated by the Department subsequent to becoming certified. An inactive certificate holder is a person who is certified but has not attended all such training courses. An inactive certificate will be considered out of compliance and a noncompliance notice will be issued to the certificate holder. In such cases, notification shall also be provided to the locality or company employing the certificate holder. Exceptions to the issuance of a noncompliance notice may be considered where there is a separation from employment by medical or military leave for 12 consecutive months or more during the continuing education period.

An inactive certificate holder may be request reinstatement reinstated as an active certificate holder after completing make-up training courses authorized designated by the Department. Provisional certificates may also be issued in accordance with subsection C of this section.

Requirements for periodic training courses and continuing education requirements are set out in subsection B of this section.

B. All certificates issued since June 1978 are considered to be valid unless revoked or suspended, except that provisional certificates shall remain valid as set out under subsection C of this section.

C. A provisional certificate may be issued to (i) a person who has been directed by the Department to obtain a certificate; (ii) an applicant requesting a certificate under the alternative examination or training provisions of 13VAC5-21-45; (iii) an applicant when the required training has not been provided or offered; (iv) an inactive or lapsed certificate holder when the issuance of a provisional certificate is determined to be warranted by the Department; or (v) a person who, due to extenuating and warranting circumstances either on behalf of the code academy or beyond the person's control, has not fully complied with the eligibility requirements of training and competency established herein.

Such a provisional certificate may be issued when the applicant has (i) provided the written endorsement or documentation required by 13VAC5-21-31, (ii) satisfactorily completed the code academy core module and (iii) completed any training through the code academy or through other providers determined to warrant the issuance of the provisional certificate.

The provisional certificate is valid for a period of up to one year after the date of issuance and shall only be issued once to any individual, except that a provisional certificate shall remain valid when the required training has not been provided or offered.

D. All certificate holders shall attend periodic maintenance training as designated and approved by the Department and shall attend 16 hours of continuing education every two years as designated and approved by the Department. If a certificate holder possesses more than one certificate, the 16 hours shall satisfy the continuing education requirement for all certificates.

Reason Statement: Certificate statuses have been consolidated into two statuses to mitigate misunderstanding between the statuses: active and inactive. Active certificates reflect a certificate holder who has completed the required periodic training and met the continuing education requirements. Inactive certificates reflect a certificate holder who has not attended periodic training or met the continuing education requirements. Statements about the required number or hours for continuing education have been removed and placed back into the Department's CE policy. Removing it from the VCS provides the opportunity to adjust training hour requirements as needed and based on consensus of BCAAC without having to go through the legislative process.

Cost Impact: The code change proposal will not increase or decrease the cost of construction
Virginia Contractors Receive Free Digital Licenses for Secure, Contactless Verification

Virginia’s Department of Professional and Occupational Regulation (DPOR) and Merit, the interoperable digital credentials ecosystem, have expanded their 2019 partnership to issue free digital versions of contractors’ licenses to thousands of professionals across the Commonwealth.

These digital licenses, known as merits, can be activated and managed through any web browser, or on the go through Merit’s secure smartphone app, eliminating the need to carry a paper license. Most importantly, these digital licenses make license checks at local permitting offices and jobsites fast, easy, and contactless.

Learn more at www.merits.com/DPORcontractor or watch the video at https://vimeo.com/461564356.
Sandy,
Technical Review Board
The Technical Review Board met on September 18, 2020 from 10:00 til approx. 4:00. Several final orders from previous cases were approved and we heard one appeal. The appeal centered around the timeliness of a building official to respond to an owner developer on a question concerning the applicability of an exception for an automatic sprinkler system which affected their approach to design of apartments. In addition we had an interpretation request concerning the witnessing of elevator tests. The Board decided to have staff work with the code officials to reformat the question so it would be clear as to what the submitter is asking to be interpreted. We will review this request at our next meeting that is to be held in November.

If anyone should have questions concerning these reports, please contact me at 804 543-2753 or golfwitt9@gmail.com
Thanks,
Rick
CEU OPPORTUNITIES: ICC hosts virtual panel events, keynotes & breakouts on building safety topics
The International Code Council offers its inaugural virtual education summit, ICC LEARN LIVE, a five-day virtual event which includes a series of panel sessions and keynotes from building industry experts. ICC Learn Live will address the most pressing issues and priorities for building safety professionals such as training the next generation of talent, the impact of COVID-19 on building safety and the economy, adopting virtual capabilities, and an in-depth overview of the upcoming 2021 International Codes (I-Codes). Educational sessions offer continuing education units (CEUs). Just a few of the sessions are:

- **Monday, November 9, at 3 p.m. ET - COVID-19 Global Impact Panel.** A group of distinguished international panelists will discuss the impacts of COVID-19 on the building safety industry. Speakers will address economic impact, best practices and pandemic strategy. Register here.
- **Tuesday, November 10, at 11 a.m. ET - Sneak Peek at 2021 Code Changes.** The Code Council will debut significant changes to be released in the 2021 I-Codes. Get a sneak peek at the updated building, residential, fire and plumbing codes. Register here.
- **Wednesday, November 11, at noon ET - Remote Virtual Inspections – Recommended Practices.** Recently, the Code Council released Recommended Practices for Virtual Inspections. This overview will include suggestions for implementing an effective and consistent remote virtual inspections program and how to assist jurisdictions in adapting readily available technologies in their own inspection programs. Register here.
- **Thursday, November 12, at 3 p.m. ET - Evolution of Careers Building Safety Panel.** A panel of industry experts will provide discuss the industry’s need for new professionals and the various ways to get involved. Register here.
- **Friday, November 13, at noon ET - Keynote Address: Discovering the Building Safety Profession and Networking.** Eric "Doc" Wright, Founder and CEO of Vets2PM, LLC, and Amazon #1 best seller, will share his experience as a Veteran entering a new career. Register here.

Having launched its Coronavirus Response Center earlier this year, the Code Council’s ICC Learn Live event is the next step to provide building code officials, construction workers and others with resources and tools necessary to adapt. For more information and to register for ICC Learn Live, click here.

**Next ICC Board of Directors meeting on appeals from the 2019 Group B code cycle is set to start Oct. 5**
The ICC Board of Directors recently issued a final decision on the first two groups of appeals related to the 2019 Group B code cycle – preemption and committee reconsideration – and outlined next steps. The Board will meet again on Monday, October 5, to consider the remaining appeals. These appeals are one part of a longer code development process that is responsive, transparent and open. For more information about this process and how it creates the most widely used and adopted set of building safety codes in the world, click here. For the recent release on the Board’s decisions, click here.

**ICC and FEMA team up to explain BRIC’s grant funding for building and fire prevention departments**
The Code Council hosted a webinar (that’s available for viewing) on the Building Resilient Infrastructure and Communities (BRIC) program on September 16 which featured leaders from FEMA and state and local governments. They outlined funding opportunities for building and fire prevention departments through BRIC and shared best practices for how to successfully leverage BRIC grants through coordination with hazard mitigation officials. BRIC is FEMA’s new $500 million mitigation grant program. It prioritizes the adoption and enforcement of hazard resistant building codes and makes funding available for adoption activities (including staff time and consultant costs), training, certifications, electronic permitting, building department accreditation and online access to codes and standards. Brick
Code Council staff focused on assessing wildfire damages, causes and prevention strategies

No region is immune to the threat of wildfires, but this year’s multi-state wildfires in the West are boosting interest in the International Wildland-Urban Interface Code (IWUIC) and revising strategies to prevent or contain future wildfires. A recent New York Times article describes the situation: “Millions of Americans are moving into wildfire-prone areas outside of cities, and communities often resist restrictions on development. A century of federal policy to aggressively extinguish all wildfires rather than letting some burn at low levels, an approach now seen as misguided, has left forests with plenty of fuel for especially destructive blazes ... loading the dice for more extensive fires.” Karl Fippinger, Vice President, ICC Government Relations Fire and Disaster Mitigation, said that while most of the fire service community’s focus is on extinguishing the West Coast states’ fires, ICC members and staff are preparing to update the IWUIC to changing needs. Members can engage in IWUIC development for the 2024 I-Codes in a variety of ways. The Fire Code Action Committee (FCAC) is meeting regularly and sponsors an IWUIC work group that is open to all members. Members can also submit code change proposals for the 2024 IWUIC via cdpACCESS beginning mid-October until January 11. The IWUIC is among the Group A Codes. The public can learn more about the 2021 IWUIC which can be ordered. The ICC Government Relations webpage also has a page dedicated to helping communities prevent wildfire destruction. For information on the FCAC, email Beth Tubbs, Senior Staff Engineer with the International Code Council (ICC) Codes and Standards Development department, BTubbs@icc safe.org, or Karl Fippinger, KFippinger@iccsafe.org.

Second building, fire officials survey continues monitoring how they cope with pandemic issues

Results of a follow up survey of building and fire prevention officials to learn how code officials cope with professional challenges brought on by the COVID-19 pandemic underscore the importance of additional federal resources for code departments. The survey, conducted August 11 to September 3, documented information from more than 800 respondents from jurisdictions that range in size from 700 people to 4 million. Although the U.S. Department of Homeland Security has determined the work of building and fire prevention departments to be essential to the nation’s response to the coronavirus pandemic—and no state has made a contrary determination—about half of survey respondents did not have the capability to remotely carry out critical aspects of their work. That’s an improvement from 6 in 10 in April, but still unacceptable given code departments’ vital role in communities’ pandemic response, resilience, economic recovery and long-term success. “The results of this survey show how, in less five months, the Code Council’s governmental members have worked to ensure their departments can continue to protect public safety and spur economic activity in a virtual work environment,” said Code Council Chief Executive Officer Dominic Sims, CBO. “But too many departments have outstanding needs. It’s critical that sufficient resources to support building and fire prevention departments are provided by state and local governments through existing CARES Act funds and by the federal government through any subsequent economic stimulus package.” Read more here.

ICC Community Development Solutions Partners with Inspected to facilitate remote virtual inspections

ICC Community Development Solutions and Inspected, a virtual inspection software company, recently announced a joint partnership to make remote virtual inspections accessible to code officials, homeowners and contractors. ICC Community Development Solutions, a subsidiary of the International Code Council that provides software solutions for municipalities and building safety professionals, will offer Inspected’s remote video inspection software to Code Council members, partners, municipalities,
and government jurisdictions to conduct effective and consistent virtual inspections. Inspected's patent-pending software provides a secure platform specifically designed to implement and manage remote virtual inspections with features such as automatic algorithmic geo-tagging, photo and video recording, scheduling, record-keeping, and cloud storage capabilities. Read more here.

**Major Jurisdiction Committee wants to share ICC members’ “Best Practices” in local jurisdictions**
The Code Council’s Major Jurisdiction Committee (MJC) is seeking ICC member input on “Best Practices” that they or their jurisdictions have either developed or experienced in a code administration environment. Best Practices will be expanded to include both MJC vetted best practices and best practices vetted through the International Accreditation Services (IAS) process. All submittals will conform to a format to simplify the search process. Further, IAS has a series of categories that all best practices will be catalogued per the IAS methodology to enhance ease of use. If you or your jurisdiction have a best practice to share, please do so. Online submissions information and the MJC’s Best Practices page are accessible by clicking here. The MJC leadership will be giving a presentation during ICC LEARN LIVE and would like to feature some new Best Practices, especially any that have been developed during and in response to the COVID-19 pandemic.

**ICC receives Commerce Department grant to support publication, implementing of Gulf building codes**
The International Code Council will receive the Market Development Cooperator Program (MDCP) grant to partially underwrite the work the Code Council will undertake with the Gulf Standardization Organization (GSO) to publish a suite of regional model building codes. The grant is a major show of support for the work undertaken by the GSO since that organization entered into an agreement with the Code Council in 2016 to begin work developing the unified Gulf Building Code. The work to develop the Gulf Building Code has been underway for the past four years, involving stakeholders based in all Gulf Cooperation Council member states, and the development process is now in its final stages. Read more.

**Deadline is October 18 to submit comments on solar thermal collectors and systems standards**
The deadline is October 18 to submit comments on ICC/SRCC standards for solar thermal collectors and systems which are currently being revised under ICC’s ANSI-approved standard development procedures. The IS-STSC has released additional draft changes to the documents for a second public comment period. The Public Review #2 Package document contains proposed changes shown in strikeout and underline format, along with the required comment form and instructions for submitting comments. Comments will only be accepted on these draft changes to the documents developed by the committee since Public Review #1. To be accepted, comments must include specific changes to the language in the standard proposed, and a rationale. Click here for the Public Review Package document. Have questions? Visit the project website or contact the staff secretariat.

**Code Council’s PRONTO now offers five new exams based on the 2021 International Codes**
The Assessment Center at the International Code Council recently announced the addition of four new exams based on the 2021 International Codes — M2 - Commercial Mechanical Inspector; M3 - Mechanical Plans Examiner; P2 - Commercial Plumbing Inspector; and P3 - Plumbing Plans Examiner. The exams are conveniently offered through the PRONTO (Proctored Remote Online Testing Option). Look for more to be added within the coming months. Read more here. The Assessment Center also recently announced the new Tall Mass Timber Special Inspector certification. The certification exam is now conveniently available via the PRONTO. Read more here.

**Changes to lead reduction regulations finalized by EPA to lower lead content of plumbing products**
The U.S. Environmental Protection Agency finalized its changes to existing regulations to provide a framework of compliance under the Reduction of Lead in Drinking Water Act of 2011 (RLDWA), which lowered the allowable maximum lead content of plumbing products to further protect the public from lead used in plumbing materials that provide water for human consumption. The final rule “requires
manufacturers with 10 or more employees, and importers entering products purchased from or manufactured by manufacturers with 10 or more employees, to obtain third-party certification by an ANSI-accredited third-party certification body.” The plumbing manufacturing industry began transitioning products to new lower lead levels circa 2014. Even better, the 2015 IPC and IRC were amended to reflect RLDWA lead content requirements in drinking water pipes, pipe fittings, joints, valves, faucets and fixture fittings. For several years, ICC Evaluation Service has offered certification service to the requirements of NSF/ANSI 372 and is available to address certification needs. For questions, contact ICC Vice President of PMG Programs Guy Tomberlin at gtomberlin@iccsafe.org.

ALSC reports more non-ALS lumber grade marks appearing in Missouri and New Hampshire
The American Lumber Standard Committee alerted its members and industry that a lumber grade stamp was recently observed in Missouri and New Hampshire. Similar reports surfaced this year from New York, Texas, Georgia, Massachusetts and North Carolina. The stamp “No.2” does not come from any ALSC-accredited inspection agency, there are no ALS-approved design values that are attributable to lumber bearing this stamp and it should not be represented as a structural lumber product under the ALSC system. Read more here.

Code Council announces updates to Building Valuation Data to aid in calculating permit fees
The Code Council recently announced updates to Building Valuation Data (BVD) for its members. The BVD is updated at six-month intervals, with the next update in February 2021. The Code Council strongly recommends that all jurisdictions and other interested parties actively evaluate and assess the impact of this BVD table before utilizing it in their current code enforcement related activities. The BVD table provides “average” construction costs per square foot, which can be used in determining permit fees. Permit fee schedules are addressed in Section 109.2 of the 2018 International Building Code (IBC) whereas Section 109.3 addresses building permit valuations. Permit fees can be established by using the BVD table and a Permit Fee Multiplier, which is based on the total construction value within the jurisdiction for the past year. Read more here.

Residential Seismic Assessment and Retrofit Standard Consensus Committee to Meet for First Time
A virtual meeting of the Code Council’s Residential Seismic Assessment and Retrofit Standard Consensus Committee (IS-RSARC) will be held from 11:30 a.m. to 2:30 p.m. CT on October 16 to discuss the development of the ICC 1300 standard. As an American National Standards Institute accredited standards developing organization, the Code Council is undertaking a project coordinated with the California Earthquake Authority and the Federal Emergency Management Agency to develop a Code Council standard for the seismic evaluation and retrofit of one- and two-family dwellings (including townhouses) designated as ICC 1300, Standard for the Vulnerability-Based Seismic Assessment and Retrofit of One- and Two-Family Dwellings.

Call for Committee on the Consensus Committee On Log Structures has a November 1 deadline
As an ANSI accredited standards developing organization, the Code Council is revising the ICC 400, Standard on the Design and Construction of Log Structures, to maintain the standard with current industry practice. The application deadline to serve on the committee is November 1. Once appointed, this committee will convene to undergo the revision process in accordance with ANSI Essential Requirements for the development of American National Standards. This Committee has primary responsibility for minimum requirements to safeguard the public health, safety and general welfare through design, construction and installation requirements for log and heavy timber structures. Visit the IS-LOG committee webpage for current news updates on committee activities. For more information on the ICC procedures for developing standards, refer to the ICC Consensus Procedures posted here.

Code Council CEO Dominic Sims is featured in recent Plumbing and Mechanical homepage PM Profile
Plumbing & Mechanical recently interviewed International Code Council CEO Dominic Sims about the current landscape for codes and standards and the plumbing industry overall. Sims has led ICC since 2012 and is responsible for overall activities and financial performance of the organization. The article is titled “International Code Council helps plumbing industry pros navigate new normal post COVID-19 pandemic.” Click here to link to the article.

Compliance forms to support energy code compliance and training opportunities announced
New compliance forms were recently developed to support demonstrating commercial building energy code compliance with the performance-based approaches of ASHRAE Standard 90.1-2016 and 2019 Energy Cost Budget and Appendix G Performance Rating Methods. These forms will help modelers establish simulation inputs for the baseline/budget and proposed design models and include submittal checklists to ensure that all necessary supporting documentation is included in compliance submittals. Pacific Northwest National Laboratory is hosting two training webinars, the first of which was held September 29. The next will be 1-3 p.m. Eastern on December 8. Read more here.

Recipients of six sponsored scholarships to children of Code Council members announced
The International Code Council recently awarded six sponsored scholarships to children of Code Council members. The 2020 recipients include:

- **General Scholarship Fund** – Charlee Bichara, daughter of Charles Bichara of the city of Middleburg Heights, Ohio, and Gavin Justice, son of Trace Justice, Snohomish County, Wash.
- **William J. Tangye Scholarship** - Mason Moritz, son of William Moritz of Monterey, California.
- **C. D. Howard Scholarship** - Autumn Carlson, daughter of Ricky Carlson of the Phoenix City Alabama building department.
- **Charlie O’Meilia Scholarship** – Elizabeth Ann Greiner, daughter of Mary L. Martinelli, St. Petersburg, Fla.

**GOT PULSE?** Episode 30 features former ICC Board President Steve Jones and Inspected’s Johnny Goetz
In this episode of the ICC Pulse Podcast, Code Council Government Relations Senior Regional Manager Steve Jones hosts a dialogue with Inspected Director of Government Relations Johnny Goetz, about remote virtual inspections and how building safety professionals can implement this method.

Upcoming from the ICC Learning Center: Institutes, training, webinars, etc.
Online learning is available from the ICC Learning Center. Find course listings you’d like to attend in the Learning Center using the Search function. Single-day training events are an opportunity to focus on topics to ensure your code knowledge stays up to date, with some seminars offering a Virtual Classroom option so you can participate in the event from any location with an internet connection:

- October 5 - 2018 Fire Inspector Webinar Series, Special Occupancies and Operations.
- October 7 - Legal Aspects of Code Administration
- October 12 - 2018 Building Plans Examiner Certification Test Academy B3.
- October 15 - 2019 Chicago Construction Codes.
- October 20 - 2018 IPC Webinar Series: Chapters 1, 2 and 3.
- October 26 - 2018 Permit Technician 14 Certification Test Academy.
• November 3 - 2018 Commercial Building Inspection Institute.
• November 3 - 2018 IPC Webinar Series: Chapters 7 and 8.
• November 4 - When Disaster Strikes.
• November 5 - 2018 IBC Means of Egress.
• November 5 - 2018 IFGC Webinar Series: Chimneys and Vents.
• November 9 – ICC LEARN LIVE COVID-19 Global Impact Panel.
• November 10 – ICC LEARN LIVE Sneak Peek at 2021 Code Changes.
• November 11 – ICC LEARN LIVE Remote Virtual Inspections – Recommended Practices.
• November 12 – ICC LEARN LIVE Evolution of Careers Building Safety Panel.
• November 13 – ICC LEARN LIVE Discovering the Building Safety Profession and Networking.
• November 18 - Essential Skills for Rising Leaders.
• November 19 - Virtual Training Room on Mass Timber Building and the IBC.
• Available daily online, 2015 Permit Technician 14 Study Guide.
• Available daily online, IRC® Online Study Guide for Residential Building Inspectors B1.

Plus check out more upcoming virtual learning and webinar offerings here:

• Virtual landing page  Webinar landing page
Report on the
Code Development Process
Appeals Board Report on Preemption:
Code Changes RE107-19 and RE126-19

September 4, 2020
REPORT

In accordance with Section 7.1 of Council Policy 1 (CP 1), the following is the report of the International Code Council Appeals Board on the federal preemption appeal of code changes RE107-19 and RE126-19 submitted by three appellants: American Gas Association (AGA) and American Public Gas Association (APGA), jointly; National Association of Home Builders (NAHB); and Air Conditioning, Heating, & Refrigeration Institute (AHRI). All appeal related documents, including the appeals, have been posted on the appeals webpage.

The appeal was conducted in accordance with Council Policy 1 Appeals. The hearing was held virtually via Webex Event on August 31, 2020, at approximately 9:00 a.m. Central. The hearing adjourned at 12:10 p.m. Central. The Appeals Board consisted of:

- Cindy Davis, CBO, Appeals Board Chair (ex-officio, nonvoting), Code Council Board of Directors Vice President
- Anne Anderson, P.E., S.E. Green Mountain Structural Engineering
- Henry Green, Hon. AIA, Retired, Past President of the Code Council; Former President & CEO of National Institute of Building Sciences
- John Terry, CBO, Retired, Former Assistant Director of Division of Codes and Standards, New Jersey Department of Community Affairs; Past Chair of ICC Codes and Standards Council

APPEALS BOARD RECOMMENDATIONS ON RE107-19 AND RE126-19

Facts:
1. The Appeals Board’s authority to take action is limited to violations of process or procedure.

Findings:
1. The Appeals Board found that the appellants did not provide ample information of a violation of any written process or procedure.
2. The appellants did raise significant questions about federal preemption by the laws of the United States.

Recommendations for RE107-19:
The Appeals Board unanimously recommends denial of the appellants’ appeals; but further recommends that the Code Council Board of Directors consider whether the code change in question is consistent with the spirit, intent and the mission of the Code Council, its codes and standards. In making this recommendation, the Appeals Board suggests that the Code Council Board initiate an analysis of the preemption issue and determine whether any remedial action should be taken in connection with RE107. In addition, the Appeals Board recommends that the Code Council Board of Directors refer the issue of preemption generally for consideration by the Board Committee on the Long Term Code Development Process.

Recommendations for RE126-19:
The Appeals Board unanimously recommends denial of the appellants’ appeals; but further recommends that the Code Council Board of Directors consider whether the code change in question is consistent with the spirit, intent and the mission of the Code Council, its codes and standards. In making this recommendation, the Appeals Board suggests that the Code Council Board initiate an analysis of the preemption issue and determine whether any remedial action should be taken in connection with RE126. In addition, the Appeals Board recommends that the Code Council Board of Directors refer the issue of preemption generally for consideration by the Board Committee on the Long Term Code Development Process.
APPEAL PARTICIPANTS

The following individuals participated in the appeal hearing:

Appellants

AGA/APGA:
- Jim Ranfone, AGA
- Ted Williams, AGA
- Renee M. Lani, APGA

AHRI:
- Caroline Davidson-Hood, AHRI

NAHB:
- Craig Drumheller, NAHB
- Megan Berge, Legal Counsel
- Joshua Lee, Legal Counsel
- Jared Wigginton, Legal Counsel

Participants

- David Beahm, County of Warren, Virginia
- Sharon Bonesteel, Salt River Project
- Marie Carpizo, AHRI (appellant)
- Dave Collins, American Institute of Architects (AIA)
- Shannon Corcoran, AHRI (appellant)
- Brian Cothroll, A.O. Smith Corporation
- Bill Fay, Energy Efficient Codes Coalition (EECC)
- Chuck Foster, Edison Electric Institute (EEI)
- Chris Perry, American Council for an Energy-Efficient Economy (ACEEE)
- David Pettit, National Resource Defense Council (NRDC)
- Steve Rosenstock, EEI
- Lauren Urbanek, NRDC
- Jason Vandever, South-central Partnership for Energy Efficiency as a Resource (SPEER)

Code Council Staff

- Mike Pfeiffer, Senior Vice President of Technical Services
- Melike Oncu, General Counsel
APPEAL PRESENTATIONS AND TESTIFIERS

The following testified at the appeal hearing. Those who provided formal presentations are noted with the file name of the presentation in parenthesis following their name. These files are posted on the appeals web page.

In Support

Appellants:
- Caroline Davidson-Hood, AHRI (Presentation_Hood_AHRI_Preemption)
- Megan Berge, NAHB (Presentation_Drumheller_NAHB_Preemption)
- Jim Ranfone, AGA (Presentation_Ranfone_AGA_APGA_Preemption)
- Ted Williams, AGA
- Renee Lani, APGA

Others in support:
- Steve Rosenstock
- Brian Cothrell
- Chuck Foster

International Code Council
- Mike Pfeiffer (Presentation_Pfeiffer_ICC_Preemption)

In Opposition

- Lauren Urbanek (Presentation_Urbanek_NRDC_Preemption)
- Sharon Bonesteel
- Chris Perry
- Dave Collins
- David Beahm
- Bill Fay

WRITTEN COMMENTS

The following submitted written comments in accordance with Section 6.1.3 of CP 1. The comments are posted on the appeals webpage, identified by file name in parenthesis.

- Sharon Bonesteel, Salt River Project (Bonesteel_SRP_Preemption)
- Joe Boros, Rheen Manufacturing Company (Boros_Rheem_Preemption)
- Amy Boyce, Institute for Market Transformation (Boyce_IMT_Preemption)
- Dave Collins, The Preview Group; Rep: AIA (Collins_AIA_Preemption_RE126) & (Collins_AIA_Preemption_RE107)
- Caroline Davidson-Hood, Air-Conditioning, Heating, & Refrigeration Institute (Davidson_Hood_AHRI_Preemption)
- Keith Dennis, National Rural Electric Cooperative Association (Dennis_NRECA_Preemption_RE126)
- Craig Drumheller, National Association of Home Builders (Drumheller_NAHB_Preemption)
- Jim Edelson, New Buildings Institute (Edelson_NBI_Preemption)
- Bill Fay, Energy Efficient Codes Coalition (Fay_EECC_Preemption)
- Mike Pfeiffer, International Code Council (ICC Memo to Appeals Board_Federal Preemption_2019_20)
- Dan Kirschner, Northwest Gas Association (Kirschner_NWGA_Preemption)
- Nick O’Neil, Energy 350 (ONeil_energy350_Preemption_RE107)
- Chris Perry, ACEEE (Perry_ACEEE_Preemption)
- Steve Rosenstock, Edison Electric Institute (Rosenstock_EEI_Preemption_RE126)
- Bruce Swiecicki, National Propane Gas Association (Swiecicki_NPGA_Preemption_RE107) & (Swiecicki_NPGA_RE126)
- Eric Truskoski, Bradford White Corporation (Truskoski_Bradfordwhite_Preemption)
- Lauren Urbanek, National Resource Defense Council (Urbanek_NRDC_Preemption)

NONSPEAKING PARTICIPANTS
These individuals were present on the Webex line but did not provide spoken testimony.
- David Pettit, National Resource Defense Council
- Jason Vandever, SPEER
Report on the Code Development Process
Appeals Board Report on Scope and Intent

September 25, 2020
REPORT

In accordance with Section 7.1 of Council Policy 1 (CP 1), the following is the report of the International Code Council Appeals Board on the appeal of scope and intent submitted by the American Gas Association (AGA), American Public Gas Association (APGA), Leading Builders of America (LBA), and the National Association of Home Builders (NAHB). All appeal related documents, including the appeals, have been posted on the appeals webpage.

The appeal was conducted in accordance with Council Policy 1 Appeals. The hearing was held virtually via Webex Event on September 3, 2020, at approximately 9:25 a.m. Central. The Appeals Board consisted of:

- Cindy Davis, CBO, Appeals Board Chair (ex-officio, nonvoting), Code Council Board of Directors Vice President
- Anne Anderson, P.E., S.E. Green Mountain Structural Engineering
- Henry Green, Hon. AIA, Retired, Past President of the Code Council; Former President & CEO of National Institute of Building Sciences
- John Terry, CBO, Retired, Former Assistant Director of Division of Codes and Standards, New Jersey Department of Community Affairs; Past Chair of ICC Codes and Standards Council

APPEALS BOARD RECOMMENDATIONS

Facts:
- The Appeals Board’s authority to take action is limited to violations of process or procedure as required by CP 1.
- R101.2 of the International Energy Conservation Code (IECC) – Scope states, “This code applies to residential buildings and the building sites and associated systems and equipment.”
- R101.3 of the IECC – Intent states, “This code shall regulate the design and construction of buildings for the effective use and conservation of energy over the useful life of each building.” Section N1101.2 of the IRC includes identical language.
- C101.2 of the IECC – Scope states, “This code applies to commercial buildings and the buildings’ sites and associated systems and equipment.
- C101.3 of the IECC – Intent states, “This code shall regulate the design and construction of buildings for the effective use and conservation of energy over the useful life of each building.”

Findings:
- The Appeals Board acknowledged the outcome of the 2019 Group B code cycle with respect to RE147-19 (requiring electric readiness) and CE217-19, Parts I and II (requiring electric vehicle charging equipment).
- The Appeals Board finds that the inclusion of code provisions that are not within the stated scope and intent of a code is a violation of process and procedure.
- In the case of RE147-19, the Appeals Board finds that the code change in question is outside the current scope and intent of the energy provisions of the IECC and International Residential Code (IRC).
- In the case of CE217-19, Parts I and II, the Appeals Board finds that the code changes in question are outside the current scope and intent of the energy provisions of the IECC (Parts I and II) and IRC (Part II).
Recommendations on RE147-19:
The Appeals Board recommends sustaining the appeals and recommends that the Code Council Board of Directors find the following:

- In accordance with the provisions noted in Section 1.3 of CP 28, the proposed code change in question is not within the current “general purpose and scope” of the IECC and Chapter 11 of the IRC. The language should be excluded from the 2021 I-Codes.
- The issue of scoping should be reviewed for future editions of the I-Codes.

Recommendation on CE217-19, Parts I and II:
The Appeals Board recommends sustaining the appeals and recommends that the Code Council Board of Directors find the following:

- In accordance with the provisions noted in Section 1.3 of CP 28, the proposed code changes in question are not within the current “general purpose and scope” of the IECC and Chapter 11 of the IRC. The language should be excluded from the 2021 I-Codes.
- The issue of scoping should be reviewed for future editions of the I-Codes.

APPEAL PARTICIPANTS
The following individuals participated in the appeal hearing:

Appellants

AGA/APGA:
- Jim Ranfone, AGA
- Ted Williams, AGA
- Renée M. Lani, APGA

LBA:
- Ken Gear, LBA
- Amanda Hickman, Rep: LBA
- Bill Koffel, Rep: LBA

NAHB:
- Craig Drumheller, NAHB
- Megan Berge, Legal Counsel
- Joshua Lee, Legal Counsel
- Jared Wigginton, Legal Counsel

Participants
- David Beahm, County of Warren, VA
- Sharon Bonesteel, Salt River Project
- Amy Boyce, IMT
- Kim Cheslak, NBI
- Dave Collins, AIA
• Bill Fay, Energy Efficient Codes Coalition
• Chuck Foster, EEI
• Matt Frommer, Southwest Energy Efficient Project
• Bryan Holland, NEMA
• Shaunna Mozingo, Mozingo Code Group
• Chris Perry, ACEEE
• Steve Rosenstock, EEI
• Tim Ryan, IABO
• Brian Shanks, Beezer Homes
• Joe Starr, Beezer Homes
• Lauren Urbanek, NRDC
• Jason Vandever, SPEER

Code Council Staff
• Mike Pfeiffer, Senior Vice President of Technical Services
• Melike Oncu, General Counsel

APPEAL PRESENTATIONS AND TESTIFIERS

The following testified at the appeal hearing. Those who provided formal presentations are noted with the file name of the presentation in parenthesis following their name. The file is posted on the appeals web page.

In Support
• Appellant: Craig Drumheller and Megan Berge, Legal Counsel, NAHB (Presentation NAHB Scope and Intent)
• Appellant: Jim Ranfone, AGA (Presentation_AGA_APGA_Scope and Intent)
• Appellant: Ken Gear, Amanda Hickman and Bill Koffel, LBA (Presentation_LBA_Scope and Intent)
• David Beahm, County of Warren, Virginia
• Tim Ryan, IABO

International Code Council
• Mike Pfeiffer (Presentation_Pfeiffer_ICC_Scope and Intent)

In Opposition
• Sharon Bonesteel, Salt River Project
• Kim Cheslak, NBI
• Dave Collins, AIA
• Bill Fay, Energy Efficient Codes Coalition
• Matt Frommer, Southwest Energy Efficient Project
• Bryan Holland, NEMA (Presentation_Holland_NEMA_Scope and Intent)
• Shaunna Mozingo, Mozingo Code Group
• Chris Perry, ACEEE
Steve Rosenstock, EEI
Lauren Urbanek, NRDC (Presentation_Urbanek_NRDC_Scope and Intent)

WRITTEN COMMENTS
The following submitted written comments in accordance with Section 6.1.3 of CP 1. The comments are posted on the appeals webpage, identified by file name in parenthesis.

- David Bobzien, State of Nevada (Bobzien_Nevada_Scope)
- Sharon Bonesteel, Salt River Project (Bonesteel_SR_P_Scope)
- Amy Boyce, Institute for Market Transformation (Boyce_IMT_Scope)
- Christine Bunch, City of Seattle (Bunch_Seattle_Scope)
- Kim Burke, State of Colorado (Burke_Colorado_Scope)
- James Cartney, City of Edwardsville (Cartney_Edwardsville_Scope)
- Chris Castro, City of Orlando (Castro_Orlando_Scope)
- Kimberly Cheslak, New Building Institute (Cheslak_NBI_Scope)
- David S. Collins, The Preview Group; Rep: AIA (Collins_AIA_Scope_CE217)
- David S. Collins, The Preview Group; Rep: AIA (Collins_AIA_Scope_RE147)
- Craig Drumheller, National Association of Home Builders (Drumheller_NAHB_Scope)
- William D. Fay, Energy Efficient Codes Coalition (Fay_EECC_Scope)
- Matt Frommer, Southwest Energy Project (Frommer_SWEEP_Scope)
- Amanda Hickman, The Hickman Group; Rep: LBA (Hickman_LBA_Scope)
- Bryan Holland, National Electrical Manufacturers Association (Holland_NEMA_Scope)
- Kathy Kinsey, Northeast States for Coordinated Air Use Management (Kinsey_NESCAUM_Scope)
- Dan Kirschner, Northwest Gas Association (Kirschner_WWGA_Scope)
- Christine Knapp, City of Philadelphia (Knapp_Philadelphia_Scope)
- Flore Marion, City of Pittsburgh (Marion_Pittsburgh_Scope)
- Stacy Miller, City of Minneapolis (Miller_Minneapolis_Scope)
- Zachary Owens, State of Colorado (Owens_Colorado_Scope)
- Chris Perry, ACEEE (Perry_ACEEE_Scope)
- Addison Phillips, State of Colorado (Phillips_Colorado_Scope)
- Jim Riggins, Southeast Colorado Renewable Energy Society (Riggins_SECORES_Scope)
- Natalie Rogers, City of Milwaukee (Rogers_Milwaukee_Scope1)
- Natalie Rogers, City of Milwaukee (Rogers_Milwaukee_Scope2)
- Steven Rosenstock, Edison Electric Institute (Rosenstock_EEI_Scope1)
- Steven Rosenstock, Edison Electric Institute (Rosenstock_EEI_Scope2)
- George W. Schulter, (Schulter_Scope)
- Cheryl Scott, Metropolitan Mayors Caucus (Scott_Mayors_Caucus_Scope)
- Russ Stark, City of St. Paul (Stark_StPaul_Scope)
- Bruce Swiecicki, National Propane Gas Association (Swiecicki_NPGA_Scope_RE147)
- Bruce Swiecicki, National Propane Gas Association (Swiecicki_NPGA_Scope_CE217)
- Lauren Urbanek, National Resources Defense Council (Urbanek_NRDC_Scope)
Appeals Board Report on Scope and Intent

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- Uyen T. Vong, City of Honolulu (Vong_Honolulu_Scope)
- Francesca Wahl, Tesla (Wahl_Tesla_Scope)
- Eric Walker, City of Hood River (Walker_Hood River_Scope)
- Christin Whitco, City of Boulder (Whitco_Boulder_Scope)
- Kimberly White, City of Highland Park (White_Highland Park_Scope)
- Alicia R. Zatcoff, City of Richmond (Zatcoff_Richmond_Scope)
- Luba Zhaurova, City of Worcester (Zhaurova_Worcester_Scope)

NONSPEAKING PARTICIPANTS
These individuals were present on the Webex line but did not provide spoken testimony.
- Amy Boyce, IMT
- Chuck Foster, EEI
- Brian Shanks, Beezer Homes
- Joe Starr, Beezer Homes
- Jason Vandever, SPEER
Report on the Code Development Process

Appeals Board Report on Committee Reconsideration: Code Changes RB81-19 and RB116-19

September 2, 2020
REPORT

In accordance with Section 7.1 of Council Policy 1 (CP 1), the following is the report of the International Code Council Appeals Board on the reconsideration appeals of code changes RB81-19 and RB116-19 submitted by Jake Pauls. All appeal related documents, including the appeals, have been posted on the appeals webpage.

The appeals were conducted in accordance with Council Policy 1 Appeals. The hearings were held virtually via Webex Event on August 26, 2020, at approximately 9:00 a.m. Central. The hearings adjourned at 1:30 p.m. Central. The Appeals Board consisted of:

- Cindy Davis, CBO, Appeals Board Chair (ex-officio, nonvoting), ICC Board Vice President
- Anne Anderson, P.E., S.E. Green Mountain Structural Engineering
- Henry Green, Hon. AIA, Retired, Past President of the Code Council; Former President & CEO of National Institute of Building Sciences
- John Terry, CBO, Retired, Former Assistant Director of Division of Codes and Standards, New Jersey Department of Community Affairs; Past Chair of ICC Codes and Standards Council

APPEALS BOARD RECOMMENDATION ON RB81-19

The Appeals Board unanimously voted to deny the appeal of RB81-19. The Appeals Board concluded that there was no evidence presented that a violation of process or procedure occurred during the consideration of RB81-19 during the 2019 Group B Cycle. The Appeals Board further recommended that the technical issue of RB81-19 be referred to the Building Code Action Committee (BCAC) for consideration in the 2024 Code Development Cycle.

APPEALS BOARD RECOMMENDATION ON RB116-19

The Appeals Board unanimously voted to deny the appeal of RB116-19. The Appeals Board concluded that there was no evidence presented that a violation of process or procedure occurred during the consideration of RB116-19 during the 2019 Group B Cycle. The Appeals Board further recommended that the technical issue of RB116-19 be referred to the BCAC for consideration in the 2024 Code Development Cycle.

APPEAL PARTICIPANTS

The following individuals participated in the appeal hearing.

Appellants
- Jake Pauls, BArch, CPE, HonDSc
- Tom Paris, Legal Counsel

Participants
- David W. Cooper, Stairbuilders and Manufacturer’s Association (SMA)
- Stan Harbuck
- Shaunna Mozingo, The Mozingo Code Group LLC
- Leon F. Vinci, DHA, DAAS, RSHealth Promotion Consultants
- Carolyn R. Williams, Former Member of BOCA Ad Hoc Committee on Stairway Safety
- David Beahm, County of Warren, VA

Code Council Staff
- Mike Pfeiffer, SVP of Technical Services
- Melike Oncu, General Counsel
RB81-19 APPEAL PRESENTATIONS AND TESTIFIERS
The following testified at the appeal hearing of RB81-19. Those who provided formal presentations are noted with the file name of the presentation in parenthesis following their name. The file is posted on the appeals web page.

In Support
- Appellant: Jake Pauls and Tom Paris (Presentation – Appellant Pauls RB81)
- Stan Harbuck (Presentation – Support_Harbuck_Pauls_RB81_RB116)
- Leon F. Vinci
- Carolyn R. Williams

International Code Council
- Mike Pfeiffer (Presentation – ICC_Pfeiffer_Pauls_RB81_RB116)

In Opposition
- Shaunna Mozingo

RB116-19 APPEAL PRESENTATIONS AND TESTIFIERS
The following testified at the appeal hearing of RB116-19. Those who provided formal presentations are noted with the file name of the presentation in parenthesis following their name. The file is posted on the appeals web page.

In Support
- Appellant: Jake Pauls and Tom Paris (Presentation – Appellant Pauls RB116)
- Leon F. Vinci
- Carolyn R. Williams

International Code Council
- Mike Pfeiffer

In Opposition
- Dave Cooper (Presentation_Opposition_Cooper_Pauls_RB116)
- Shaunna Mozingo
WRITTEN COMMENTS
The following submitted written comments in accordance with Section 6.1.3 of CP1. The comments are posted on the appeals webpage, identified by file name in parenthesis.

- Dave Cooper, Stairbuilders and Manufacturers Association (Cooper_SMA_RB116)
- Mike Pfeiffer, International Code Council (Memo to ICC Appeals Board - Jake Pauls 2019-1)
- Vincent Quinterno, Rhode Island Fire Marshals’ Office (Quinterno_RI SFM_RB116)
- Jonathan Rubes, Rubes Code Consultants (Rubes_CodeConsult_RB116)
- Matt Sigler, Plumbing Manufacturers International (Sigler_PMI_RB81)

NONSPEAKING PARTICIPANTS
These individuals were present on the Webex line but did not provide spoken testimony.

- David Beahm, County of Warren, VA
Report on the Code Development Process

September 25, 2020
REPORT

In accordance with Section 7.1 of Council Policy 1 (CP 1), the following is the report of the International Code Council Appeals Board on the appeals related to the following: Impact of Online Voting (CP 28); Cost Impact; Voting Guides; Voter Eligibility; and Validation Process as submitted by the Leading Builders of America (LBA) and the National Association of Home Builders (NAHB). All appeal related documents, including the appeals, have been posted on the appeals webpage.

The appeal was conducted in accordance with Council Policy 1 Appeals. The hearing was held virtually via Webex Event on September 14, 2020, at approximately 9:00 a.m. Central. The Appeals Board consisted of:

- Cindy Davis, CBO, Appeals Board Chair (ex-officio, nonvoting), Code Council Board of Directors Vice President
- Anne Anderson, P.E., S.E. Green Mountain Structural Engineering
- Henry Green, Hon. AIA, Retired, Past President of the Code Council; Former President & CEO of National Institute of Building Sciences
- John Terry, CBO, Retired, Former Assistant Director of Division of Codes and Standards, New Jersey Department of Community Affairs; Past Chair of ICC Codes and Standards Council

APPEALS BOARD RECOMMENDATIONS

Facts:

- The Appeals Board’s authority to take action is limited to violations of process or procedure as required by CP 1.
- Matters concerning voter irregularity that are not a clear violation of process or procedure, as outlined by CP 28, are beyond the scope of the Appeals Board.
- This is the first time that there have been code changes that were Disapproved at the Committee Action Hearings (CAH), the Disapproval sustained at the Public Comment Hearings (PCH), and Approved as Submitted on the Online Governmental Consensus Vote (OGCV). This resulted in a final action of As Submitted. It is further noted that CP 28 specifically provides for this scenario.
- Based on the report of the Validation Committee, which was assisted in its work by Code Council staff and outside auditors, the Code Council Board of Directors, on March 31, 2020, unanimously certified the results of the OGCV for the 2019 Group B cycle.
- As part of its review process, the Validation Committee directed Code Council staff “to investigate whether voting members participating in the OGCV were fully and correctly reviewed and vetted in accordance with written Code Council policies and bylaws” and determined that they all met the bylaw definition.
- Voting guides do not violate CP 28 and have historically been part of the Code Council code development process.

Findings:

- These appeals have posed significant discussion for the Appeals Board which raises a number of issues that are beyond the scope of the Appeals Board.
- The proponents and opponents have presented compelling discussions supporting their respective positions.
- There is no clear evidence of a violation of matters of process or procedure, however CP 28 may not go far enough to support the principles of the Code Council code development process.
- Several participants, in addition to the appellants, stated that there is room for improvement in the code development process.
Recommendations:
The Appeals Board recommends that the Code Council Board of Directors deny the appeals; however, the Appeals Board makes the following recommendations for consideration by the appropriate Code Council board appointed committees:

1. The current process as outlined in CP 28 should be reviewed for compliance with the Code Council code development principles with respect to:
   ▪ Definition of a governmental member
   ▪ Definition of a governmental member voting representative
   ▪ Review procedures for conducting the PCH and the OGCV, including:
     - Examine the process for OGCV consideration of proposals receiving an action of disapproval at both hearings; and,
     - Consider a requirement for the voter to provide a reason statement on their ballot as to why they are voting to overturn the PCH action.
   ▪ Examine the current requirements in CP 28 for cost impact

2. The Code Council Board should consider developing a Code Council energy standard to replace the International Energy Conservation Code and Chapter 11 of the International Residential Code because of the highly technical and evolving nature of energy efficiency that requires further debate, which is not provided for in the current process due to time constraints.

APPEAL PARTICIPANTS
The following individuals participated in the appeal hearing:

Appellants

LBA:
▪ Amanda Hickman, Rep: LBA
▪ Clayton Traylor, LBA

NAHB:
▪ Craig Drumheller, NAHB
▪ Megan Berge, Legal Counsel
▪ Jared Wigginton, Legal Counsel

Participants
▪ David Beahm, County of Warren, VA
▪ Sharon Bonesteel, Salt River Project
▪ Amy Boyce, IMT
▪ Ed Carley, NASEO
▪ Kim Cheslak, NRDC
▪ Dave Collins, AIA
▪ Caroline Davidson-Hood, AHRI
▪ Bill Fay, Energy Efficient Codes Coalition
▪ Judith Grove, Framington, MA
▪ Bryan Holland, NEMA
▪ Greg Johnson, Coalition for Fair Energy Codes
Harry Misuriello, ACEEE
Jake Pauls, Jake Pauls Consulting Services
Chris Perry, ACEEE
Jim Ranfone, AGA
Nick Resetar, Roetzel & Andress
Steve Rosenstock, EEI
Tim Ryan, IABO
Ben Silverman, City of Boston
Lauren Urbanek, NRDC
Jason Vandever, SPEER
Thom Zaremba, Roetzel & Andress

Code Council Staff
- Mike Pfeiffer, Senior Vice President of Technical Services
- Melike Oncu, General Counsel

APPEAL PRESENTATIONS AND TESTIFIERS
The following testified at the appeal hearing. Those who provided formal presentations are noted with the file name of the presentation in parenthesis following their name. The file is posted on the appeals web page.

In Support
- Appellant: Megan Berge and Craig Drumheller, NAHB (Presentation_Drumheller_NAHB_OGCV_Voter)
- Appellant: Clayton Traylor and Amanda Hickman, LBA (Presentation_Gear_LBA_OGCV_Voter)
- Greg Johnson, Coalition for Fair Energy Codes
- Nick Resetar, Roetzel & Andress
- Thom Zaremba, Roetzel & Andress (Presentation_Zaremba_OGCV_Voter)

International Code Council
- Mike Pfeiffer (Presentation_Pfeiffer_ICC_Preemption)

In Opposition
- Sharon Bonesteel, Salt River Project
- Amy Boyce, IMT
- Ed Carley, NASEO
- Kim Cheslak, NRDC
- Dave Collins, AIA
- Bill Fay, Energy Efficient Codes Coalition
- Judith Grove, Framington, MA
- Bryan Holland, NEMA (Presentation_Holland_NEMA_OGCV_Voter)
- Harry Misuriello, ACEEE
WRITTEN COMMENTS

The following submitted written comments in accordance with Section 6.1.3 of CP 1. The comments are posted on the appeals webpage, identified by file name in parenthesis.

- Rich Anderson, City of Fort Collins (Anderson_FortCollins_OGCV_Voter)
- David Bobzien, State of Nevada (Bobzien_Nevada_OGCV_Voter)
- Stephen Baldridge, State of Oklahoma (Baldridge_Oklahoma_OGCV_Voter)
- Sharon Bonesteel, Salt River Project (Bonesteel_SRPOGCV_Voter)
- Amy Boyce, Institute for Market Transformation (Boyce_IMT_OGCV_Voter)
- Christine Bunch, City of Seattle (Bunch_Seattle_OGCV_Voter)
- Kim Burke, State of Colorado (Burke_Colorado_OGCV_Voter)
- Kim Burke, State of Colorado (Burke_Colorado_OGCV_Voter2)
- Kerry Campbell, State of Pennsylvania (Campbell_Pennsylvania_OGCV_Voter1)
- Kerry Campbell, State of Pennsylvania (Campbell_Pennsylvania_OGCV_Voter2)
- Ed Carley, National Association of State Energy Officials (Carley_NASEO_OGCV_Voter)
- James Cartney, City of Edwardsville (Cartney_Edwardsville_OGCV_Voter)
- Chris Castro, City of Orlando (Castro_Orlando_OGCV_Voter)
- Kimberly Cheslak, New Buildings Institute (Cheslak_NBI_OGCV_Voter1)
- Kimberly Cheslak, New Buildings Institute (Cheslak_NBI_OGCV_Voter2)
- Kimberly Cheslak, New Buildings Institute (Cheslak_NBI_OGCV_Voter3)
- Eric R. Coffman, State of Maryland (Coffman_Maryland_OGCV_Voter)
- David S. Collins, The Preview Group; Rep: AIA (Collins_AIA_OGCV_Voter1)
- David S. Collins, The Preview Group; Rep: AIA (Collins_AIA_OGCV_Voter2)
- Reid Conway, State of North Carolina (Conway_NorthCarolina_OGCV_Voter)
- Thomas D. Culp, Birchpoint Consulting LLC (Culp_BirchPoint_OGCV_Voter)
- Craig Drumheller, National Association of Home Builders (Drumheller_NAHB_OGCV_Voter1)
- Craig Drumheller, National Association of Home Builders (Drumheller_NAHB_OGCV_Voter2)
- Jocelyn Durkay, State of Colorado (Durkay_Colorado_OGCV_Voter)
- Daniel Farrell, Virginia Department of Mines, Minerals and Energy (Farrell_VAMines_OGCV_Voter)
- William D. Fay, Energy Efficient Codes Coalition (Fay_EECC_OGCV_Voter)
- Heather J. Goggin, State of Alabama (Goggin_Alabama_OGCV_Voter)
- Amanda Hickman, The Hickman Group; Rep: LBA (Hickman_LBA_OGCV_Voter)
- Bryan Holland, National Electrical Manufacturers Association (Holland_NEMA_OGCV_Voter1)
- Bryan Holland, National Electrical Manufacturers Association (Holland_NEMA_OGCV_Voter2)
- Greg Johnson, Johnson & Associates Consulting Services; Rep: Coalition for Fair Energy Codes (Johnson_CFEC_OGCV_Voter)
• Christine Knapp, City of Philadelphia (Knapp_Philadelphia_OGCV_Voter)
• Rachel Koller, Shiftzero (Koller_Shiftzero_OGCV_Voter)
• Ryan Manzik, State of Colorado (Manzik_Colorado_OGCV_Voter)
• Flore Marion, City of Pittsburgh (Marion_Pittsburgh_OGCV_Voter)
• Donna McKee, Lederach, PA (McKee_Lederach_OGCV_Voter)
• Stacy Miller, City of Minneapolis (Miller_Minneapolis_OGCV_Voter)
• Julia Murphy, City of San Antonio (Murphy_SanAntonio_OGCV_Voter)
• Barry Murphy, State of Vermont (Murphy_Vermont_OGCV_Voter)
• Edward O’Brien, State of Louisiana (Obrien_Louisiana_OGCV_Voter)
• Jake Pauls, Consulting (Pauls_Consulting_OGCV_Voter)
• Cammy Peterson, Metropolitan Area Planning Council (Peterson_MAPC_OGCV_Voter)
• Jared Polis, State of Colorado (Polis_Colorado_OGCV_Voter)
• Nick Resetar, Roetzel & Andreas (Resetar_RAlaw_OGCV_Voter)
• Natalie Rogers, City of Milwaukee (Rogers_Milwaukee_OGCV_Voter1)
• Natalie Rogers, City of Milwaukee (Rogers_Milwaukee_OGCV_Voter2)
• George W. Schulter, (Schluter_OGCV_Voter)
• Cheryl Scott, Metropolitan Mayors Caucus (Scott_Mayors_Caucus_OGCV_Voter)
• Christopher Sgroi, NYSERDA (Sgroi_NYSERDA_OGCV_Voter)
• Blake Shelide, State of Oregon (Shelide_Oregon_OGCV_Voter)
• Benjamin Silverman, City of Boston (Silverman_Boston_OGCV_Voter)
• Zach Waas Smith, City of Ann Arbor (Smith_AnnArbor_OGCV_Voter)
• Lucinda Smith, City of Fort Collins (Smith_FortCollins_OGCV_Voter)
• Brad Smith, City of Fort Collins (Smith_FortCollins_OGCV_Voter2)
• Greg Smith, City of West Linn (Smith_WestLinn_OGCV_Voter)
• Russ Stark, City of St. Paul (Stark_StPaul_OGCV_Voter)
• Missy Stults, City of Ann Arbor (Stults_AnnArbor_OGCV_Voter)
• Alison Waske Sutter, City of Grand Rapids (Sutter_GrandRapids_OGCV_Voter)
• Flavia Tonioli, City of Miami Beach (Tonioli_MiamiBeach_OGCV_Voter)
• Eddy Trevino, State of Texas (Trevino_Texas_OGCV_Voter1)
• Eddy Trevino, State of Texas (Trevino_Texas_OGCV_Voter2)
• Robert Underwood, State of Delaware (Underwood_Delaware_OGCV_Voter)
• Lauren Urbanek, National Resources Defense Council (Urbanek_NRDC_OGCV_Voter)
• CJ Volpone, Lincoln, MA (Volpone_Lincoln_OGCV_Voter)
• Uyen T. Vong, City of Honolulu (Vong_Honolulu_OGCV_Voter)
• Jeff Vredenburg, City of Sarasota (Vredenburg_Sarasota_OGCV_Voter)
• Eric Walker, City of Hood River (Walker_HoodRiver_OGCV_Voter)
• Christin Whitco, City of Boulder (Whitco_Boulder_OGCV_Voter)
• Kimberley White, City of Highland Park (White_HighlandPark_OGCV_Voter)
• Christian Williss, State of Colorado (Williss_Colorado_OGCV_Voter)
• Alicia R. Zatcoff, City of Richmond (Zatcoff_Richmond_OGCV_Voter1)
Alicia R. Zatcoff, City of Richmond (Zatcoff_Richmond_OGCV_Voter2)
Luba Zhaurova, City of Worcester (Zhaurova_Worcester_OGCV_Voter)

NONSPEAKING PARTICIPANTS
These individuals were present on the Webex line but did not provide spoken testimony.
- David Beahm, Country of Warren VA
- Caroline Davidson-Hood, AHRI
- Jim Ranfone, AGA
- Tim Ryan, IABO
- Jason Vandever, SPEER
DHCD Report (Updated 9-28-20)

Building and Fire Regulations

- Amusement device stickers can be obtained by emailing sarah.foote@dhcd.virginia.gov. Reminder - stickers will only be distributed to building officials. To expedite the process, please provide your name, mailing address, and quantity of stickers needed in your email.
- The deadline to respond to the invitation to apply for second round of training support grant closed September 30th. We received eight applications for a total of $12,363 with a grand total of $161,335 disbursed to 86 localities for the purposes of supporting staff to attend virtual training.

Code Development

- The deadline for submitting code change proposals for the 2018 regulations was July 3rd and all submitted code change proposal have now been reviewed by the full workgroups. All proposals, including workgroup recommendations, public comments and other related information can be viewed in cdpVA.
- Be sure to mark your calendars for the Board of Housing and Community Development (BHCD) meeting on October 19th. Final decisions on all code change proposals for the final regulations will be made by the BHCD at this meeting. There will be one final BHCD meeting in December to approve the final regulations.
- We currently anticipate the 2018 regulations to have an effective date of mid to late 2021.

VBCA Virtual Courses

- As reported in previous VBCA updates, the Code Academy has canceled all in-person courses originally scheduled for the 2020 semesters and has converted all of those courses to virtual live online delivery.
- The updated Fall schedule is available online. The VBCA Fall virtual class schedule is revised from the in-person schedule taking into account moving from three to four-day classes as well as adjustments in overall schedule to accommodate the increased staff support demand when producing the virtual classroom.
- Contact the VBCA office with any questions about previously registered classes.
- Please check the message board on the homepage of the Code Academy's Online Registration System regularly for updates and newly added courses.
- Before registering for any course, please take a moment to make sure your contact info and supervisor's contact info is correct in the Online Registration System. This ensures that registration and certification approval requests go to the right person, and helps avoid registration and certification delays.
Mandatory Building Science and Residential Energy Code Enforcement Training

- This class is mandatory for persons holding any of the following DHCD certificates:
  
  Building Official
  Residential Building Inspector
  Residential Mechanical Inspector
  Combination Residential Inspector
  Residential Plans Examiner

- The 4-hour self-paced online course is now available through the VBCA Learning Center (Google "VBCA Learning Center"). You will earn 4 hours of DHCD Continuing Education if you haven’t already completed the in-person or webinar version.

- Many Certification holders have already completed this training in-person or via webinar. If you have taken the live or webinar version, you DO NOT need to also complete the online course.

- For Learning Center access instructions, visit the DHCD webpage at dhcd.virginia.gov > codes > Online Training (in the orange Code Academy section) or https://www.dhcd.virginia.gov/vbca-online-training

- **The deadline for completion is December 15, 2020**

Other Continuing Education (CE) Details and Reminders

- We encourage you to visit the DHCD website and ICC website for more continuing education opportunities that are currently being provided at no cost.

- For help with Continuing Education questions, instructions, and forms, refer to the Resources section of the DHCD Continuing Education webpage at dhcd.virginia.gov > codes > Earn, Maintain, or Verify a Certification (in the orange Code Academy section) > Continuing Education or https://www.dhcd.virginia.gov/continuing-education

**DHCD NOTIFICATION REMINDER:** We have noticed that many localities are not adhering to the USBC/SFPC requirements to notify DHCD when code officials are appointed or released and when technical assistants are employed or terminated. The codes require notification:

- **By the appointing authority within 30 days** of the appointment or release of a permanent or acting Building Code Official, Maintenance Official or Fire Code Official

- **By the code official within 60 days** of the employment of, contracting with or termination of all Building Code Technical Assistants, Maintenance Code Technical Assistant or Fire Code Technical Assistants

As always, do not hesitate to contact our office with any questions or concerns.

State Building Codes Office  Virginia Building Code Academy
sbcotdhcd.virginia.gov  vbca@dhcd.virginia.gov
(804) 371-7150  (804) 371-7180
The Virginia Fire Prevention Association continues to active during the third quarter of 2020. Work on our strategic plan continues and it is hoped that it will be ready for presentation to the VFPA general membership at the Fall Meeting.

Our Fire Code committee has been active participating with the Virginia Fire Services Board Code and Standards Committee, as well as VBCOA members and other code organizations working on the 2018 Statewide Fire Prevention Code amendments. Over 2,000 amendments were reviewed with more than 900 becoming “consensus” amendments going forward in the Code making process.

After a significant amount of discussion the Board of Directors elected to make the 2020 VFPA Fall Conference a go and are having both “live” (for 50 attendees) and “virtual” offerings of the conference (up to 100 attendees). The “virtual” coverage will be done over the newly purchased Zoom paid account that permits us to have up to 100 persons and unlimited sessions up to 24 hours in length.

The conference site would normally be able to handle over 100 attendees. However with the COVID restrictions and maintaining a 6 foot social distancing the capacity was reduced to 50 attendees thus the limitation on the “live” offering. The conference will be held at the Best Western Plus in Waynesboro, VA, October 13 through 14. The conference will be 16 hours of continuing education hours approved by the VFMA and the ICC over the two days. The use of facemask will be mandatory and hand sanitizer and masks will be available at the conference site. The tentative schedule for the conference is shown below.

<table>
<thead>
<tr>
<th>Time</th>
<th>Topic</th>
<th>Presenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>17:00 – 18:00</td>
<td>VFPA Board of Directors Meeting</td>
<td></td>
</tr>
</tbody>
</table>

**Day 1 – October 13**

<table>
<thead>
<tr>
<th>Time</th>
<th>Topic</th>
<th>Presenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00-9:00</td>
<td>Welcome/Introduction/Stakeholder Reports</td>
<td>Ernie Little</td>
</tr>
<tr>
<td>9:00-12:00</td>
<td>COVID 19 and the Impacts to the Enforcement of the Fire Prevention Code</td>
<td>Gerry Maiatico</td>
</tr>
<tr>
<td>12:00-1:15</td>
<td>Lunch</td>
<td></td>
</tr>
<tr>
<td>1:15-5:00</td>
<td>Meth Lab Considerations for Fire Code Enforcement</td>
<td>David Ferguson</td>
</tr>
</tbody>
</table>

**Day 2 – October 14**

<table>
<thead>
<tr>
<th>Time</th>
<th>Topic</th>
<th>Presenter</th>
</tr>
</thead>
<tbody>
<tr>
<td>8:00-10:00</td>
<td>Consumer Grade Fireworks and the 2021 Testing Program</td>
<td>William “Billy” Hux</td>
</tr>
<tr>
<td>10:00 – 11:00</td>
<td>Code of Virginia 54.1-1147 “Certified Automatic Sprinkler Inspector”</td>
<td>Joshua Davis</td>
</tr>
<tr>
<td>11:00 – 12:00</td>
<td>The SFMO, The Life Safety Code, The Local Fire Official</td>
<td>Joshua Davis</td>
</tr>
<tr>
<td>12:00 – 13:15</td>
<td>Lunch</td>
<td></td>
</tr>
<tr>
<td>13:15 – 17:00</td>
<td>Combustible Dust – Understanding Hazard Analysis, Mitigation, and the Current Industry Standard of Care</td>
<td>Marc T. Hodapp, PE</td>
</tr>
</tbody>
</table>

Planning for the 2021 Spring Conference in May of 2021 will be starting after the Fall Conference. This conference will be held at the Holiday Inn- North on Atlantic Avenue in Virginia Beach. The dates of the conference will be May 15-19, 2021.
To: VBCOA President, Jimmy Moss  
1st Vice President, Matt Westheimer  
2nd Vice President Mike Eutsey  
Sergeant-At-Arms John Broughton

WICED of VA held a virtual training on Sept 18, 2020 for ICC Marijuana and the Building Code. The training will be free to our members and at cost for nonmembers at $25.00 per person. This training counted as 0.6 hours of ICC Continue Education Credit.

WICED of VA is in the finalization stages of launching our new website powered by ICC and their vendor.

Our next virtual membership meeting is November 13, 2020 via Webex or Microsoft Office Teams.

That is all to report

President Christina Jackson