



Administrative Refresher

Of the Virginia Uniform Statewide Building and Fire Prevention Codes

The Virginia Way

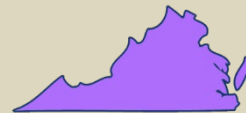


The Virginia Way





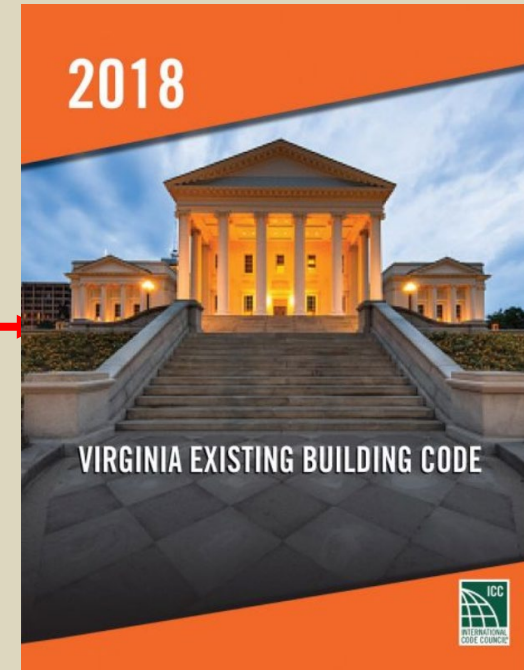
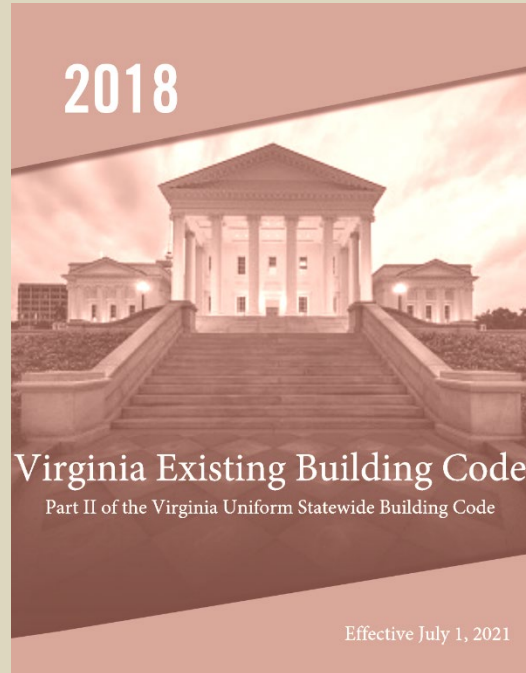
Tools of the Trade



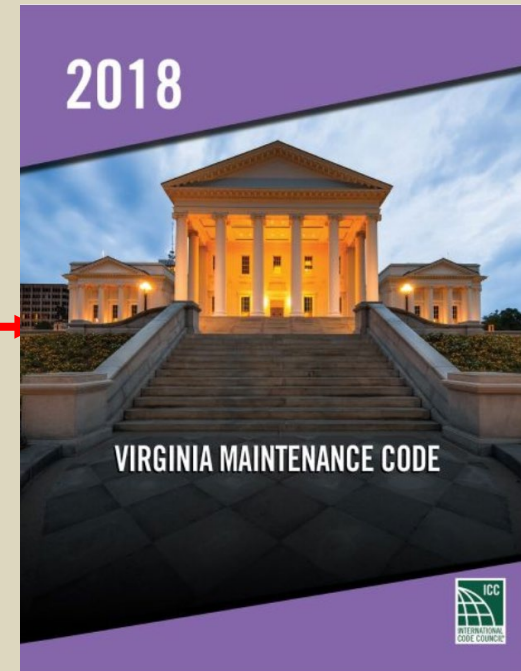
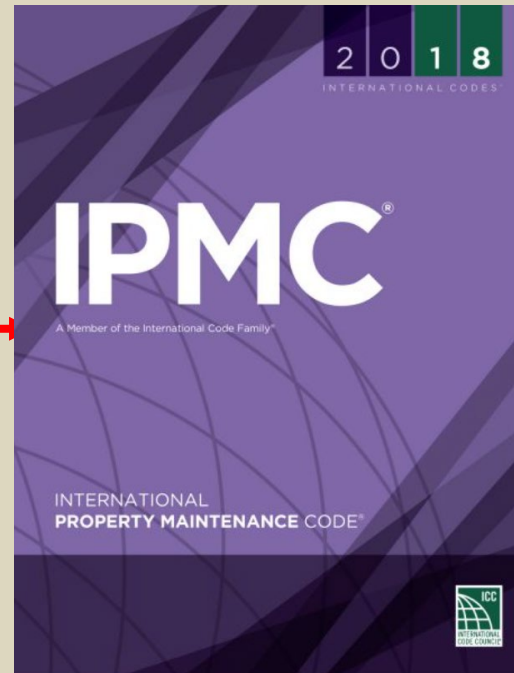
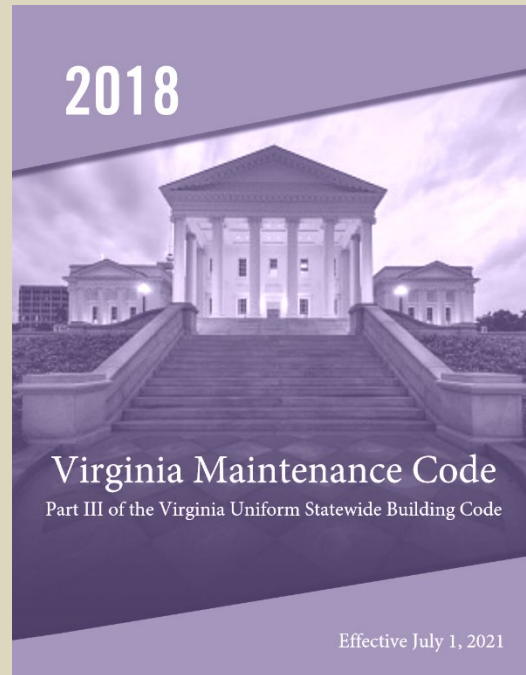
USBC Part I: The Virginia Construction Code



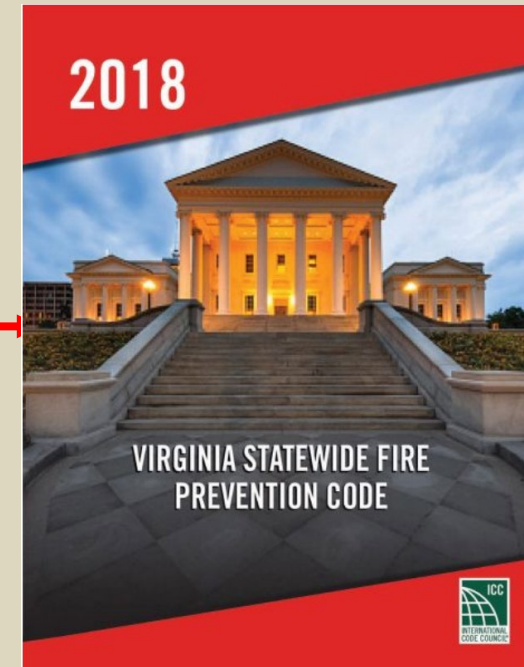
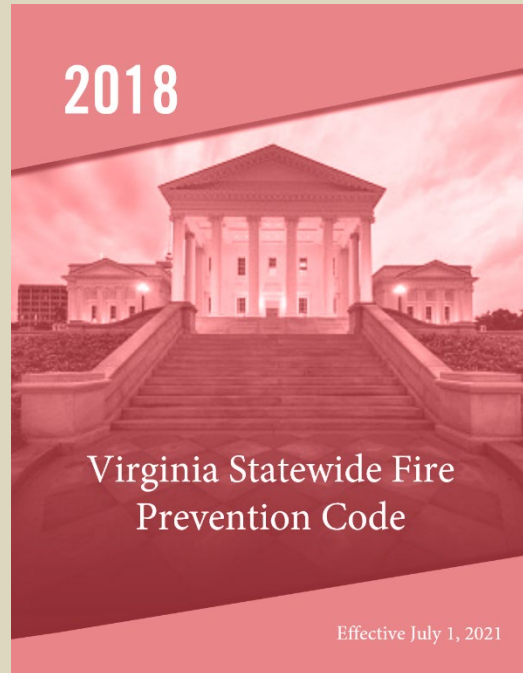
USBC Part II: Virginia Existing Building Code



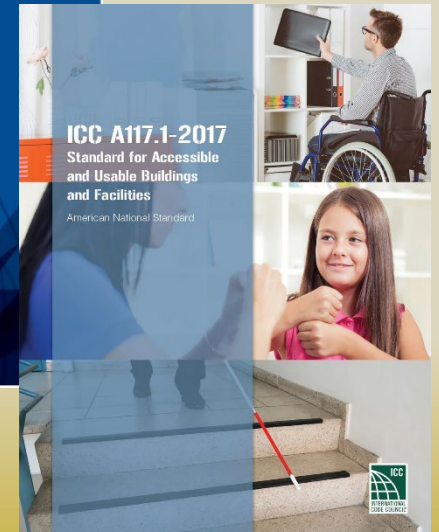
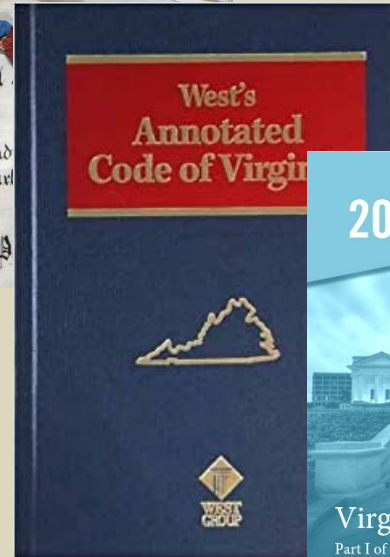
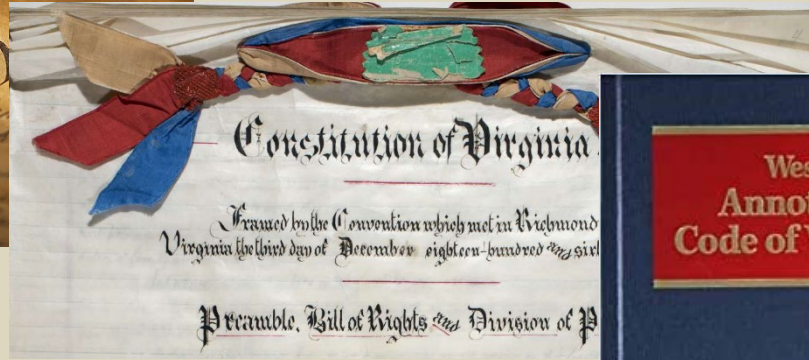
USBC Part III: Virginia Maintenance Code



SFPC: Virginia Statewide Fire Prevention Code



Hierarchy





You ...

“The AHJ”

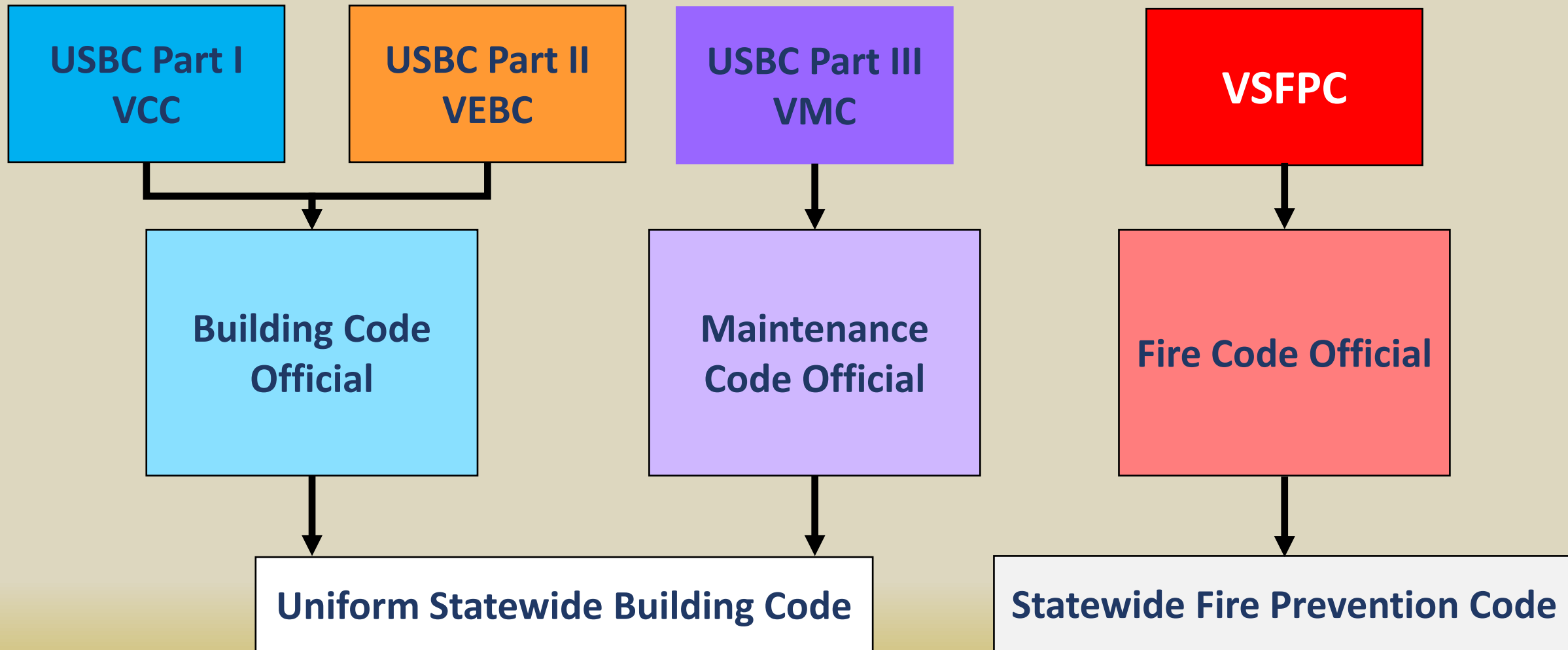
and Your Job

The AHJ

- The Code Official is the AHJ
- May Delegate Authority
 - (Others are the AHJ)
- May utilize Technical Assistants
 - (***YOU*** are the AHJ)



Enforcement Responsibility



State Owned Structures

- State owned structures must comply with the U.S.B.C.
 - Virginia Department of General Services
 - Inspection and enforcement of U.S.B.C. requirements can be delegated to the State Fire Marshal's office or the local building department.





Purpose

"More men fail through lack of PURPOSE
than lack of talent."

~ Billy Sunday~



Purpose - VCC

- ...the purpose of the USBC is to protect the health, safety and welfare of the residents of the Commonwealth of Virginia...





Purpose

...provided that buildings and structures should be permitted to be **constructed at the least possible cost consistent with recognized standards...**

- Health
- Safety
- Energy Conservation
- Water Conservation
- Prevention of Overcrowding
- Prevention of Pest Infestation
- Prevention of Garbage Accumulation
- Access for handicapped and Aged





Purpose - VEBC

§ 36-99.01 of the Code of Virginia

1. [U]rgent need to improve ... housing conditions
2. [L]arge numbers of older residential buildings in the Commonwealth, ... which are in urgent need of rehabilitation
3. [T]he application of *current building codes* to... rehabilitation has sometimes led to... costly and time-consuming requirements

Second paragraph makes similar statements about commercial properties.



Purpose - VMC

- ...the purpose of this code is to protect the health, safety and welfare of the residents of the Commonwealth of Virginia, provided that buildings and structures should be permitted to be *maintained* at the least possible cost consistent with recognized standards...





Purpose - VSFPC

...to provide for statewide standards to safeguard life and property from the hazards of fire or explosion arising from the improper maintenance of life safety and fire prevention and protection materials, devices, systems and structures, and the unsafe storage, handling, and use of substances, materials and devices, including explosives and blasting agents, wherever located.



Code Exemptions USBC Parts I & II

Exempt from the Code means...

The USBC does NOT apply

Code Exemptions

- Equipment and wiring used for providing communications, information, cable television, broadcast or radio service...



Code Exemptions

Property access by Right of Way or Ownership



Housing structures are not exempt



VCC 102.3

Code Exemptions

Direct Burial Poles – Communication,
Information, Cable TV

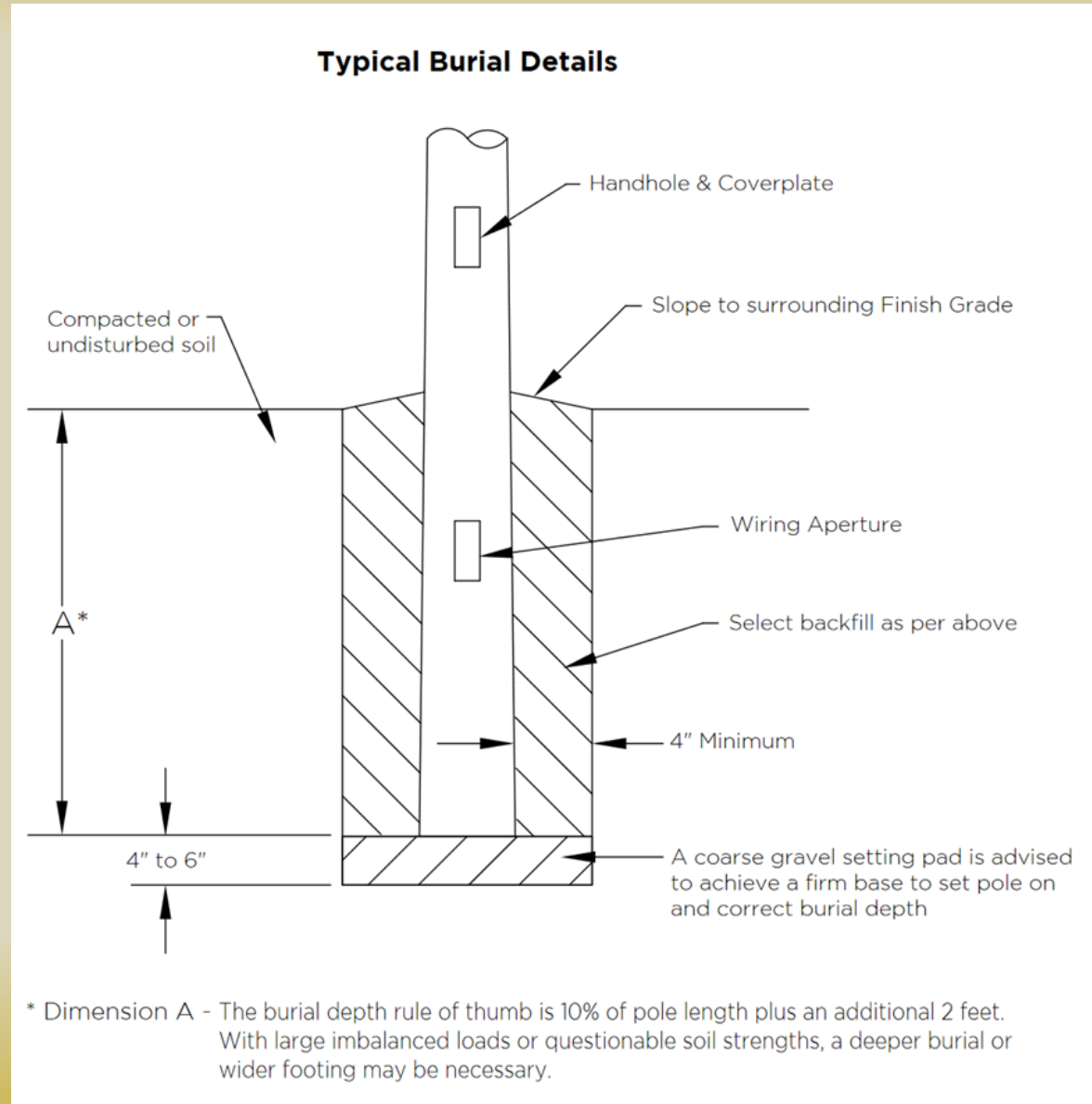


VCC 102.3

Code Exemptions

Direct Burial Poles

– Installation example



VCC 102.3

Code Exemptions

Wireless Transmission Equipment – radio, broadcast, telecom, or data



VCC 102.3



Code Exemptions

Publicly regulated electric utility support structures



VCC 102.3

Code Exemptions

Manufacturing and processing machines.



VCC 102.3

Code Exemptions

The structures housing or supporting exempt equipment are **not exempt from code**.



VCC 102.3

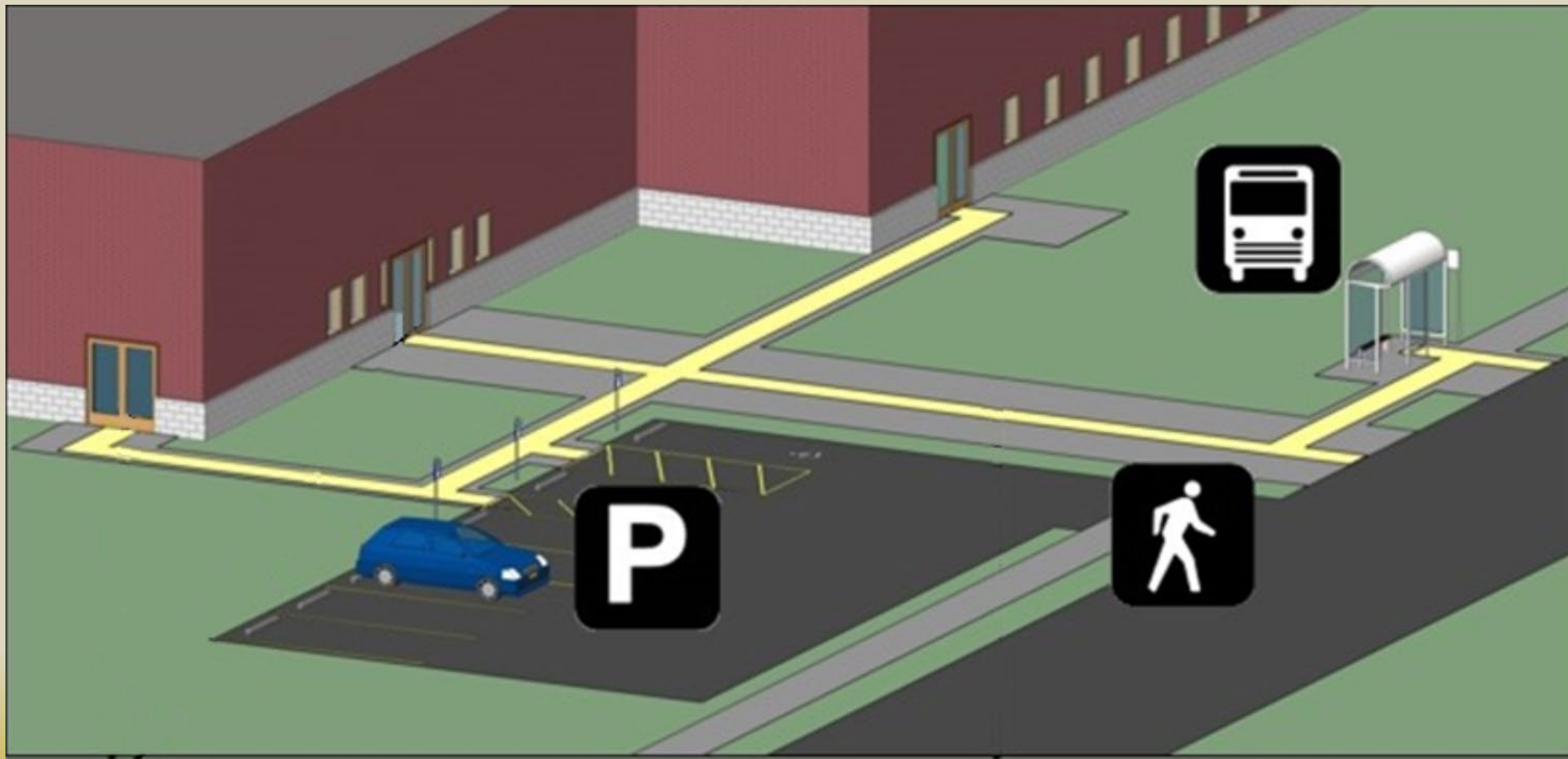
Code Exemptions

Parking lots and sidewalks that are not part of an accessible route.

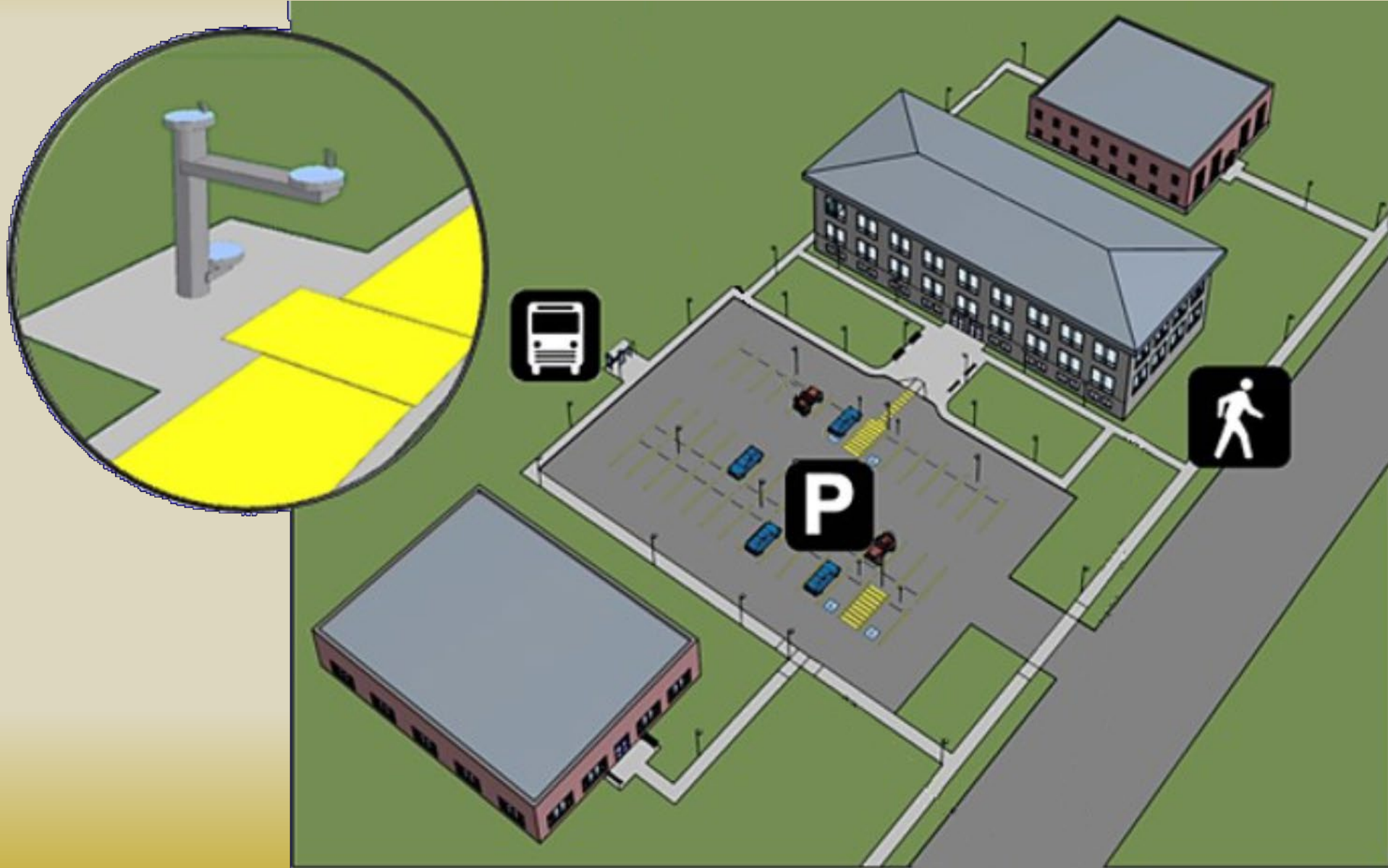


VCC 102.3

Accessible Route



Accessible Route



Code Exemptions

Non-mechanized playground and recreational equipment where no fee is charged for its use.



Code Exemptions

Industrialized buildings



Manufactured Homes



VCC 102.3

Code Exemptions

What is an Industrialized Building?

- Modular
- Subject to State Regulations (IBSR)
- Manufactured (and inspected) off site
- Includes electrical, mechanical, plumbing systems
- Transported to site for installation



Code Exemptions

What is a Manufactured Home?

- Subject to Federal Regulations (HUD)
- Larger than 8' x 40' (or 320 sq ft) sections
- Transportable - on permanent chassis
- Designed to be used as a single family dwelling
- Includes necessary utilities



VCC 102.3

Code Exemptions

Federally owned buildings and structures



VCC 102.3

Code Exemptions

- Intermodal Freight Containers
- Moving Containers
- Storage Containers



VCC 102.3

Code Exemptions

Automotive Lifts



VCC 102.3

Code Exemptions

Farm Buildings and Structures



VCC 102.3

Code Exemptions

Located on property where farming takes place and used for:

- Storage, handling, production, display, sampling or sale of farm products
- Livestock
- Farm office
- Use, maintenance or storage of farm machinery or vehicles or farming supplies
- Implementation of Best Management Practices



Code Exemptions

It is **NOT** a Farm Building if it is used for a Restaurant or for a Residence.



VCC 102.3

Code Exemptions (VMC)

What about Maintenance Code?



VCC 102.3

Code Exemptions (VMC)

Manufactured Homes and Industrialized Buildings are NOT exempted from VMC



Code Exemptions (VSFPC)

Fireworks for signaling or other emergency use in operation of a boat, railroad train, or other vehicle for transportation of persons or property



 § 27-96.2. Exemptions generally.



Code Exemptions (VSFPC)

Non-Residential Farm Structures



VSFPC 101.6

Code Exemptions (VSFPC)

Dwelling Units



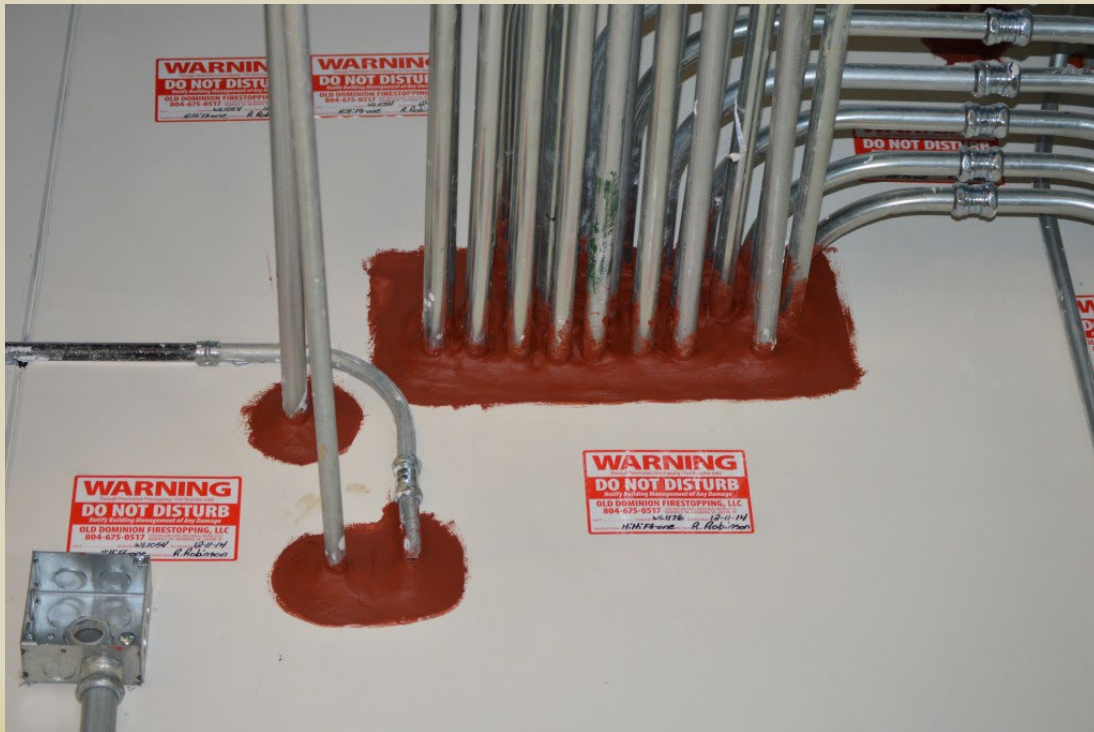
VSFPC 109.1



Permits

Permits Required


Repair or replacement of any smoke or fire rated assembly...



Permits Required

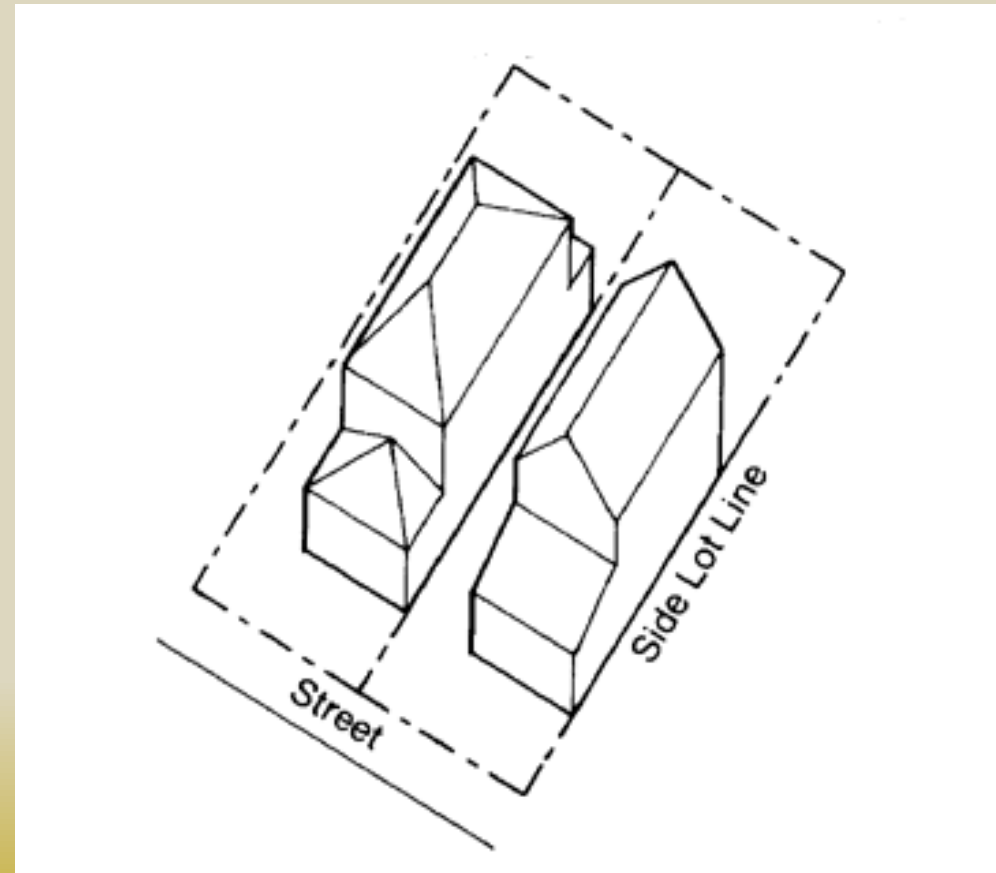
Alteration of any required means of egress...



 VCC 108.1

Permits Required

Moving a lot line that increases the hazard or decreases the safety of existing structures...



VCC 108.1

Permits Required

Removal or disturbing of any asbestos...



VCC 108.1



Permits Required - VEBC

All administrative provisions of the VCC, including but not limited to, requirements for permits, inspections and approvals by the local building department, ...are applicable to the use of this code, except where this code sets out differing requirements.

Permits Required - VEBC

When new occupancy requires greater degree of accessibility, structural strength, fire protection, means of egress, ventilation or sanitation



VEBC 103.3



Permits Required - VMC

There are no provisions for permits under the Maintenance Code.

Maintenance Code cannot require alterations to a structure unless it is “unsafe” or “unfit for human occupancy.”

If alterations are required, it kicks the structure over to VCC or VEBC for permitting and inspection.





Permits Required - VSFPC

Remember that the VSFPC is a Maintenance Code

The Fire Official is authorized to require permits under the VSFPC

Permits may be required for on –site operations, processing, storage, and use of materials.



Permits Required - VSFPC

An operational permit may be required to conduct a carnival or fair.



VSFPC 107.2

Permits Required - VSFPC

An operational permit may be required for the operation of commercial cooking appliances in occupancies other than assembly occupancies or dwellings.



VSFPC 107.2

Permits Required - VSFPC

Explosives, fireworks, and pyrotechnics.



VSFPC 107.2

Permits Required - VSFPC

An operational permit is required to store, transport on site, dispense, use or handle hazardous materials in excess of amounts set forth in Table 107.2.



Permits Required - VSFPC

An operational permit may be required mobile food preparation vehicles.



Permits Required - VSFPC

An operational permit may be required plant extraction systems.



Permits Required - VSFPC

An operational permit may be required temporary membrane structures and tents.



 VSFPC 107.2



Permit Exemptions

“Permit Exemptions” means that the Code applies...
We just do not need the paperwork on these items.

Permits - Exemptions

A permit is not required for *low voltage systems* provided...

- Operates at < 50 volts
- Not located in a plenum
- Does not penetrate a rated assembly
- Not part of a fire safety system

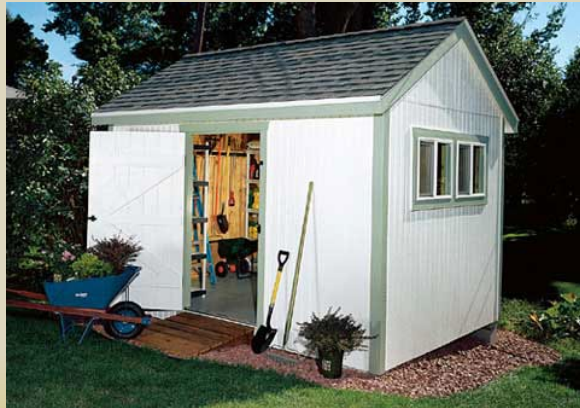


VCC 108.2

Permits - Exemptions

A permit is not required for ***one story detached accessory structures*** provided...

- The floor area does not exceed 256 sq ft
-and-
- Structure is not accessory to Group F-1 or H




Permits - Exemptions

A permit is not required for ***tents or air supported structures*** provided...

- The covered area does not exceed 900 sq ft (*including all connecting areas with common means of egress*)
-and-
- The occupant load is 50 or fewer persons



 VCC 108.2

Permits - Exemptions

A permit is not required for *fences* provided...

- It is not a swimming pool barrier
- It is not required for Pedestrian Safety



Permits - Exemptions

A permit is not required for ***concrete or masonry walls*** ***provided...***

- It does not exceed 6 feet in height
- Ornamental column caps are not to be included in determining height



VCC 108.2

Permits - Exemptions

A permit is not required for ***retaining walls*** provided...

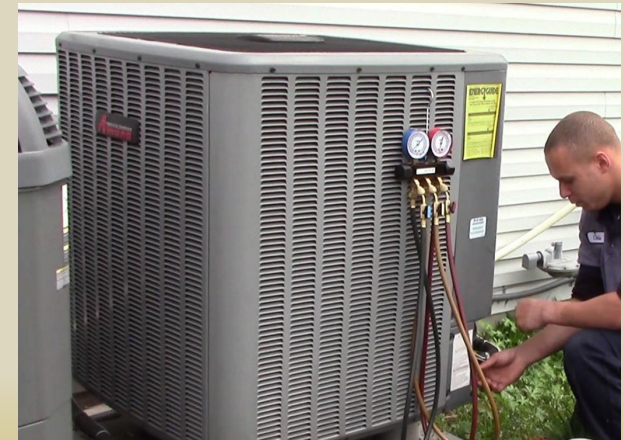
- It does not act to contain hazardous liquids
- It retains less than 3 feet of ***unbalanced fill***
- It does not support a surcharge other than ordinary unbalanced fill



Permits - Exemptions

A permit is not required for ***ordinary repairs***...

- Replacement of windows and doors in dwelling units
- Replacement of plumbing fixtures and well pumps
- Replacement of electrical fixtures
- Replacement of mechanical equipment (except for fuel fired)



VCC 108.2

Permits - Exemptions

If an item is exempt from Permits, Code Official may still require permits if:

- Historic District (Siding, Windows, and Roofing only)



-or-

- Work is in special flood hazard area



VCC 108.2

Permits - Exemptions

Permits shall not be required for the storage of explosives or blasting agents by the Virginia Department of State Police





Notices and Orders

Unsafe Buildings and Structures



VCC Unsafe Structures – Building Official

The Building Official has authority over unsafe structures under the following conditions:

- Structures under construction (Permitted)
- Structures for which there is no CO or final inspection serving as CO
- Unpermitted construction



VCC 118.3 & 202

Rental Unit Inspections – “Unsafe”

The Building Code Official is required to investigate complaints from tenants of residential rental units, claiming that their rental unit is unsafe.



VCC 104.1





VMC Unsafe Structures – Maintenance Official

The Maintenance Official has authority over existing structures classified as:

- Unsafe
- Unfit for human occupancy





VSFPC Unsafe Conditions vs. Unsafe Structures

Section 110 of the VSFPC details Unsafe Conditions in 110.1

Unsafe Structures are specifically addressed in 110.4





VSFPC Unsafe Structures - Enforcement

If a structure is Unsafe under the USBC, the Fire Official shall refer the structure to the appropriate Code Official for action (Building or Maintenance Official).





VCC Unsafe Structures – Defined

The Building Official determines that collapse is likely due to:

- Unstable foundation
- Faulty construction
- Construction that is
 - Damaged
 - Decayed
 - Dilapidated
 - Structurally unsafe





VMC Unsafe Structures – Definitions

Unsafe Structure

- Existing structure
 - Dangerous to occupant health, safety
 - Contains “Unsafe Equipment”

~or~

- So damaged, decayed, dilapidated, structurally unsafe, or faulty construction that collapse is likely



VMC Unsafe Structures – Definitions





VMC Unsafe Structures – Definitions

“Unfit for Human Occupancy”

- Existing structure dangerous to occupant health, safety and welfare due to
 - Disrepair or lack of maintenance, ventilation, illumination, sanitary or heating facilities
- ~or~
- Required plumbing and sanitary is inoperable





VSFPC Unsafe Structures - Definition

All structures that are or shall hereafter become unsafe or deficient in adequate exit facilities or which constitute a fire hazard, or are otherwise dangerous to human life or the public welfare, or by reason of illegal or improper use, occupancy or maintenance or which have sustained structural damage by reason of fire, explosion, or natural disaster shall be deemed unsafe structures.





VSFPC Unsafe Structures - Definition

A vacant structure, or portion of a structure, unguarded or open at door or window shall be deemed a fire hazard and unsafe within the meaning of this code.





Unsafe Structures – Inspection Reports

The building official must examine any structure under construction reported as unsafe.

- A report must be prepared describing
 - the unsafe conditions
 - the occupancy classification of the structure
 - the nature and extent of any damages (VCC) or unsafe conditions (VMC)



VCC 118.3



VCC 106.2



Notice of Violation - VSFPC

When the fire official discovers an alleged violation of a provision of the SFPC or other codes or ordinances under the fire official's jurisdiction...

- Notice shall be in writing
- Cite the code section
- Specify time for compliance
- Include right of appeal in accordance with Section 112





Notice of Unsafe Structure

Notice shall specify

- Corrections necessary for code compliance
 - Made safe through compliance with VCC
 - Removed if determined necessary by Code Official
- Time frame for repair or removal
- May require the closing of streets and adjacent properties



VCC 118.2, 118.4, & 118.8



VMC 106.3



Notice of Unsafe Structure Delivery

If the structure is determined to be unsafe, a written notice shall be issued **in person** to

- Owner
- Owner's Agent
- Person in Control of building or structure
- If possible, deliver to ant tenants or occupants as well



VCC 118.4



VMC 106.3

VCC – Notice of Unsafe Structure Delivery

- If the persons named in the unsafe structures notice cannot be located after diligent search, the notice must be sent by registered or certified mail to the last known address of the responsible party and a copy of the notice must be posted in a conspicuous place on the premises.



VCC 118.6

VMC 106.4



VSFPC Unsafe Conditions – Who Is Responsible?

The SFPC specifically assigns responsibility to the property owner as the primary party in 110.2

SFPC 110.3 assigns responsibility to occupants for those aspects of the safe use and maintenance of the structure that they control.





VSFPC Notice of Violation – Delivery

Notice shall be delivered by:

- Mail (to the last known address)
- In person (leaving it in the possession of person in charge of premises)
- Posting it in a conspicuous place

Note: If the owner is not the responsible party, deliver a copy of the notice to the owner or their agent.





VCC – Vacating Unsafe Structure

The Building Official can order the structure to be vacated when

- There is immediate danger of collapse or failure
- A structure has collapsed
 - ~and~
- There is an immediate threat to life safety
- Placard the structure with language specified in 118.4.1





VCC – Unsafe Structure, non-compliance

If the Notice of Unsafe Structure is not complied with, placard the structure with language specified in 118.6

This Building (or Structure) is Unfit for Habitation and its Use or Occupancy has been prohibited by the Building Official.

*This is a separate placard from the one contained in 118.4.1

Finally, issue a NOV for failure to follow a directive of the Code Official.





VMC – Vacating Unsafe Structure

The Maintenance Official can order the structure to be vacated when

- There is “actual and immediate danger” to the occupants or public, or
- When life is endangered by occupancy
- Placard the structure with language specified in 106.3.1

This Structure is Unsafe, and its Occupancy (or Use) is prohibited by the Code Official.





VMC – Unfit for Human Habitation

If Notice of Unfit Structure, placard immediately with language from 106.5

~OR~

If the Notice of Unsafe Structure is not complied with, placard the structure with language specified in 106.5

- Placard the structure with language specified in 106.5

THIS STRUCTURE IS UNFIT FOR HABITATION AND ITS USE OR OCCUPANCY HAS BEEN PROHIBITED BY THE CODE OFFICIAL.





VMC Unsafe Structure – Non-Compliance

The Maintenance Code Official is permitted to request that the Building Code Official revoke the certificate of occupancy for structures found to be Unsafe or Unfit for Habitation when notices and orders are not complied with.






VSFPC – Vacating Unsafe Structures

If there is actual and potential danger to the occupants or those in the proximity of any structure or premises, the fire official may order the immediate evacuation of the structure or premises.





Unsafe Structure Emergency Repairs and Demolition

The Building and Maintenance Officials may be granted additional authority by the locality to.

- Check with your locality and legal representation to determine authority under these provisions.



VCC 118.7



VMC 106.8



The Virginia Way



The Virginia Way

Some will read the code and say, “If it doesn’t say yes, it must mean no.”



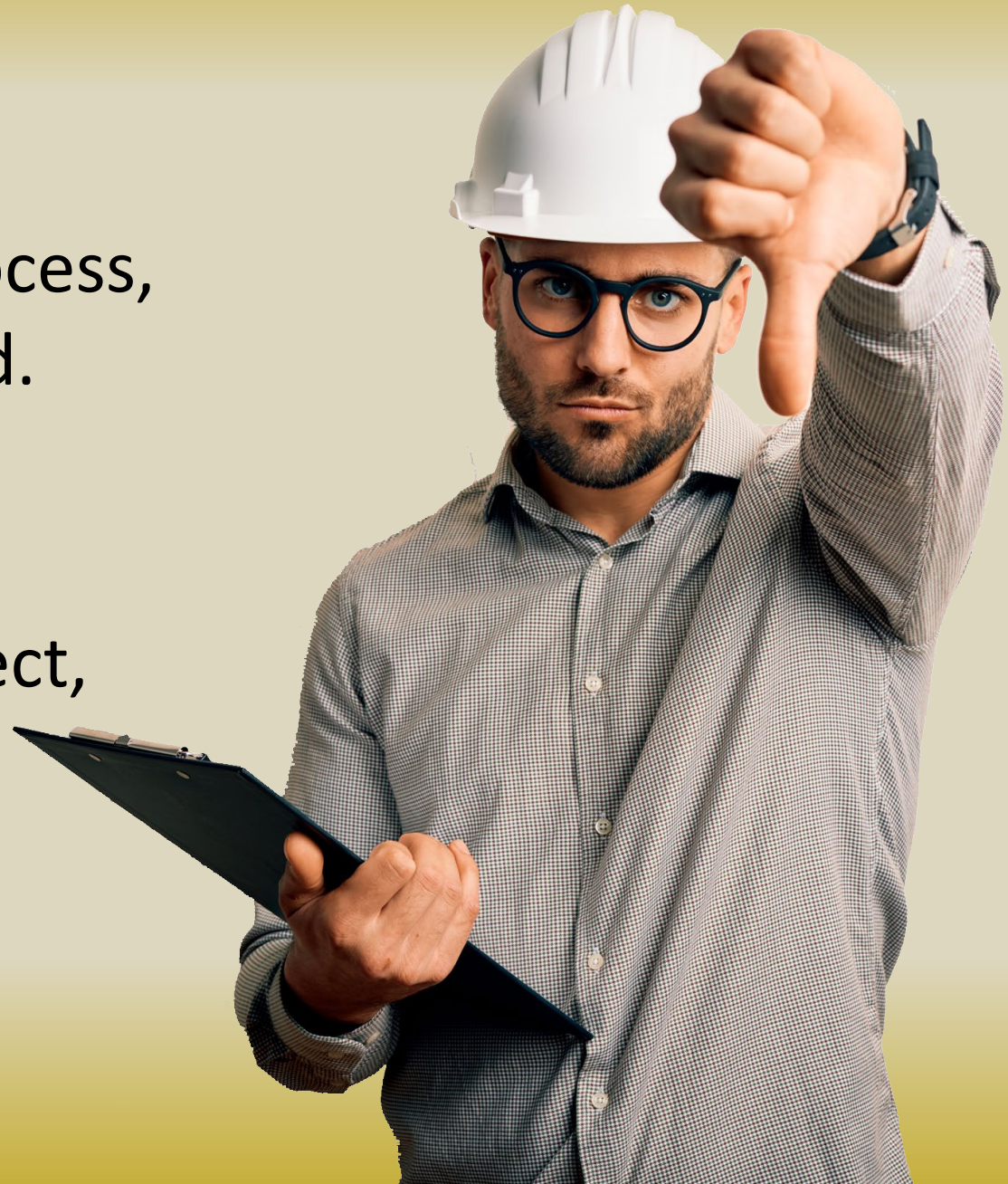
Some will read the code and say, “If it doesn’t say no, it must mean yes.”



The Virginia Way

When you say 'no', your job becomes easy because the process, along with progress, is stopped.

When you say 'no', all opportunities for mutual respect, understanding and learning diminish substantially.





The Virginia Way



When you say ‘yes’, your job becomes tougher because saying ‘yes’ means that you’ve taken the time to learn enough to be confident in your advice and decisions.

When you say ‘yes’, all opportunities for mutual respect, understanding and learning increase substantially.

Learn how to say “YES!”

