**REPORT TO MEMBERS ON THE NEW 2018 VIRGINIA BUILDING CODES**

The Virginia Board of Housing and Community Development (BHCD) has adopted the 2018 edition of the International Codes Council (ICC) family of “model” codes, with numerous modifications, effective July 1, 2021. This was the culmination of Virginia’s highly deliberative, two-plus year code adoption process, in which AOBA has historically been a major stakeholder participant.

Attending 37 all-day meetings over the cycle, AOBA was an active participant in seven of ten different work groups that considered and either accepted, modified or rejected well over 1400 code change proposals. We looked at them all, then closely followed about 300 or so and actively engaged on about a third of those, by speaking out at work groups about a proposal’s impact on our members—expressing support for the proposed change when appropriate but, if not, otherwise attempting to get it favorably modified or else disapproved.

Because AOBA’s members are primarily engaged in property management, rather than development, our advocacy is most focused on proposed changes to four of Virginia’s Codes: **Fire Prevention, Existing Buildings, Property Maintenance and Energy Conservation**. However, we also selectively examine changes being sought in the **Virginia Construction Code—** the base building code for new commercial and multifamily residential construction. All new buildings, after all, become existing buildings one year after a Certificate of Occupancy is issued, so maintaining compliance with the new construction requirements that attached become operating expenses in perpetuity.

**AOBA’s codes advocacy, as in prior cycles, has yielded significant returns on members’ dues dollars.** As the following analysis shows, we aim high and we aim low in order to do so. We go after the proposed changes that would have major impacts on your ability to operate your buildings. But, we also attempt to spare you from “death by a thousand regulatory cuts” by opposing or modifying many lesser changes which, cumulatively, can sap your staff time and energy, and your building operating budgets.

**SELECTED HIGHLIGHTS OF THE 2018 CODES DEVELOPMENT CYCLE**

* **AOBA-led opposition forced withdrawal of proposal to require sprinkler retrofitting in all unsprinklered high-rise buildings with standpipes by 2031 (EB1101.18)**
* **Defeated proposal to require existing buildings to meet 2018 Model Energy Conservation Code standards for new construction (E503)**
* **Defeated proposals to require that all residential buildings over 50 years old undergo comprehensive inspection (PM313; FP605.13)**
* **Secured or supported numerous changes that clarify, when alterations, repairs or additions are being made to an existing building, what additional fire protection, accessibility and energy conservation measures may also be required (E502; EB307.1; EB402.1; EB404.3; EB601.1; EB601.4; EB701.4; EB704.1)**
* **Negotiated modified provision that limits fire code requirement of occupant fire drills four times a year in R-2 occupancies to only those properties marketed as 55+ communities (FP405.2)**
* **Defeated proposal to give nebulous additional authority to fire code officials to order clearance of vegetation (FP304.1.2)**
* **Negotiated modified provision on rodent harborage and insect infestation to eliminate language making property owner responsible for conditions on adjacent premises (PM302.5)**
* **Supported proposal to require that repair or replacement of smoke alarms shall be with UL-listed devices not more than ten years from date of manufacture; and that battery-powered devices shall be powered by a 10-year sealed battery (EB504.1.6)**

**SELECTED HIGHLIGHTS OF THE 2018 CODES DEVELOPMENT CYCLE (cont.)**

* **Secured or supported numerous provisions that clarify limits on the authority of the fire code official (FP1011.5.1; FP1031.5; FP1031.2.1; B901.5.1)**
* **Secured, supported or defeated numerous Construction Code provisions:**
  + **Defeated effort to repeal exemption from having to install portable fire extinguishers in buildings with automatic sprinkler protection throughout (B906.1)**
  + **Supported compromise energy conservation provisions that increase ceiling insulation requirement, but maintain 2009 insulation standard for wood frame walls—which will allow continued use of 2x4, rather than 2x6 inch studs for framing (R402.1.2; R402.4.1)**
  + **Defeated two code change proposals that would 1) drastically increase the requirements on building owners by making them provide the communications equipment a fire department says it needs; and 2) shift the financial responsibility, from localities to building owners, for equipment acquisition and installation, maintenance and periodic testing thereafter (B916; B35)**
  + **Supported proposal adding an exception to the requirement to provide in-building emergency communications equipment if a locality does not provide the additional equipment required for operation of the system (B916.1)**
  + **Helped defeat numerous extreme energy conservation proposals (E405.10; R403.1.2; R403.1.4; R404.2)**

**The Codes Development Process**

State law gives the Virginia Board of Housing and Community Development (BHCD) responsibility for adoption of the Virginia Uniform State Building Code (USBC) and Virginia Statewide Fire Prevention Code (SFPC). The USBC has multiple parts (Construction, Existing Buildings, Energy Conservation, the various trades) which are modeled after the Model Codes.

When new Model Codes are issued every three years by the International Codes Council (ICC), the Department of Housing and Community Development (DHCD), on behalf of the Board, commences the Virginia codes adoption process.

1. BHCD/DHCD creates and publishes a base document, which is the most recent edition of the ICC Model Codes, but with all modifications previously adopted by Virginia carried over into the new document.

1. All interested parties are invited to submit code change proposals (CCPs) to make modifications to the base document. CCPs can seek to delete, modify, expand or otherwise change any provision in the base document.
2. DHCD assembles various stakeholder work groups, which are charged with considering every CCP submitted by interested parties seeking to change the base document, and to make recommendations on each CCP to the Board’s Codes and Standards Committee.
3. The work groups are encouraged to seek consensus in their deliberations. Each work group will make one of the following recommendations on each CCP it considers:
   1. Consensus Approval (**CA)**: No work group participant has voiced opposition to the CCP as submitted.
   2. Consensus Approval as Amended (**CAAM**): In work group deliberations, the original CCP has been modified, with the proponent’s concurrence, in order to reach consensus.
   3. Non-Consensus (**NC**): The CCP as submitted had both supporters and opponents, and no modifications could be agreed upon to achieve consensus.
   4. Consensus Disapproval (**CD**): no work group participant, other than the CCP proponent, has voiced support for the CCP.
4. All work group recommendations are then considered by the Board’s Codes and Standards Committee (CSC). While the CSC is not bound to accept a work group recommendation on any CCP, in practice, it usually endorses the work groups’ three types of “Consensus” recommendations. However, the CSC is free to separately examine and debate the merits of any CCP and formulate its own recommendation to the Board.
5. The full Board takes up the recommendations of its CSC. While the Board is not bound to accept its Codes and Standards Committee’s recommendation on any CCP, in practice, it usually does accept those recommendations. At the request of any Board member, however, it can decide to separately examine and debate the merits of any CCP and reach its own decision to approve, reject or modify.

**SIGNIFICANT CODE CHANGE PROPOSALS: ANALYSIS and RESULTS**

**(Note: “V” denotes CCPs which may be of greater interest to VAMA members)**

**STATEWIDE FIRE PREVENTION CODE (SFPC)**

**FP101** Provides that required fire-resistance ratings of fire-resistance-rated construction including protected mass timber elements, shall be maintained; and specifies requirements for maintenance of tall wood buildings greater than six stories. Virginia localities have already been approached by designers and building owners regarding potential use of tall wood materials. This proposal brings in ICC 2021 Model Code tall wood provisions a cycle earlier, so code officials and designers have guidance as to requirements. **CA by Work Groups, adopted with amendment by C&S Committee and Board**

**FP107.2(2) AOBA supported this proposal to amend the Fire Prevention Code to allow localities to require an operational permit for operation of restaurant and commercial cooking businesses** in other than assembly occupancies or dwellings (e.g.. restaurants and carryouts located in office or apartment buildings). Although permits are already required for operations with occupant loads of more than 50 persons, numerous cooking operations in office and apartment buildings are not routinely inspected to ensure that proper cleaning and maintenance is being completed.  **AS**

**FP304.1.2 V** Would have adopted **vegetation clearance requirements** related to vegetation setbacks/clearance found in the Wildland-Urban Interface Code, which Virginia has not adopted due to its complexity and stringency. **After recent battles over mulch regulation,** **AOBA and others opposed it as giving nebulous additional authority to fire code officials to order clearance of vegetation** allegedly capable of “being ignited and endangering property.” **Non-Consensus, Disapproved by C&S Committee and Board**

**FP405.2 V AOBA collaborated with the Fire Services on this proposal**, which seeks to end confusion about a new IFC requirement adopted in 2018 that has been interpreted by some as mandating **occupant evacuation drills four times annually** for all R-2 buildings. This code change proposal **clarifies that the four evacuation drills are required only in Group R-2 occupancies that are designed or developed and marketed to senior citizens 55 years of age or older**, in accordance with Federal (HUD) law; and that other R-2 occupancies must comply with applicable requirements for emergency guides, which shall include an emergency evacuation plan for each dwelling unit. **AS**

**FP407.2** Provides that Safety Data Sheets (SDS) for all hazardous materials shall be **either** readily available on the premises as a paper copy or readily retrievable by electronic access. Prior code allowed electronic access only with approval of code official; this change will allow first responders to use the building's SDS-on-demand program to retrieve applicable SDS information. **AS**

**FP605.13 V** Proposal would have **required that all residential buildings in the Commonwealth with electrical systems more than 50 years old undergo inspection by a qualified electrician,** irrespective of whether work is being performed or a code violation has been cited in the building. **CD****, after opposition from AOBA and other stakeholders**

**FP903.3.8.1** Provides that limited area sprinkler systems shall be maintained in accordance with the applicable NFPA 25 standard; **proposal was modified to remove possibility of retroactive application of most recent standard to existing buildings**. **AAM**

**FP903.5.1 V** Proposal would have required that **any service personnel conducting an inspection of automatic sprinkler systems, portable fire extinguishers and alarm and smoke detection systems would also be considered to be performing maintenance**-- and, thus, would have to possess a valid certificate issued by an approved agency or organization for the type of system/equipment being inspected. Currently, **some owner-managers may use a fire inspector, including in-house staff**, who is certified solely to perform an inspection of a system. and then use another person/firm to remedy any issues which the inspector identified. **This change** **would no longer have allowed that practice**. **CD, after opposition from AOBA and other stakeholders**

**FP905.2** Specifies that **standpipe systems shall be maintained** in accordance with this code, the applicable NFPA 25 standard and as approved in accordance with the applicable building code including the applicable NFPA 14 standard. **Proposal was modified to remove possibility of retroactive application of most recent standard to standpipes in existing buildings.** **AAM**

**FP907.5.2 V** As originally submitted, proposal regarding **audible alarm notification appliances** stated that the audibility and intelligibility of alarms shall be maintained “*in all areas”* in accordance with the applicable building code**. In response to concerns of AOBA and other stakeholders about possible misapplication, the language emphasized above was deleted.** **AAM**

**FP907.7.3 As amended at AOBA’s request**, this proposal states that operating, testing and maintenance instructions and record drawings (“as builts”) and equipment specifications for fire protection systems and equipment shall be provided “at an approved location” **and do not have to be kept onsite**. **AAM**

**FP907.10** Proposal would have **added provisions to the Fire Prevention Code regarding required installation of smoke detectors for the hearing impaired in residential buildings.** AOBA opposed this change because the requirement already exists in the Code of Virginia (law); and because the proposed wording differed from that contained in the law and, thus, could have caused confusion. **Withdrawn**

**FP1011.5.1V**As proposed, this change **would have given the Fire Code Official extensive, ambiguous authority to regulate** maintenance and replacement of stair treads and risers, carpeting, rugs and runners on tread and landing surfaces in stairways. **After AOBA objections, modified to simply require maintenance to comply with the applicable building code. AAM**

**FP1030.5,**

**FP1031.5 As amended at request of AOBA** and other stakeholders, this proposal clarifies that **maintenance requirements for bars, grilles, covers and screens** placed over emergency escape and rescue openings and window wells, and for exit signs, **are determined by the building code, not the fire prevention code**. **AAM**

**FP1031.2.1** Proposed change would make clear that **security devices and egress locks** that restrict, control or delay egress require review and approval of **the Building Official and not the Fire Official**. **NC by Work Group, but Approved as Submitted by C&S Committee and Board**

**VIRGINIA EXISTING BUILDINGS CODE (VEBC)**

**EB102.2.3** Clarifies **how to address a new building that is connected to an existing building with a firewall**, which has been a source of confusion and non-uniform enforcement and interpretation. Some code officials have been treating a firewall-separated adjacent building as an addition-- which often leads to the existing building then being required to add a sprinkler system, or additional fire walls and/or fireproofing, and/or that the addition must be located 30 or more feet away from the existing building. **AS**

**EB303 V** Clarifies and resolves **conflicts regarding fire escapes** in the Virginia Existing Building Code provisions. In the last cycle, provisions in the prescriptive method section and work area method section were combined, yet one prohibited use of window access and ladders, while the other allowed their use in limited occupancies. This code change **retains the work area method, permitting some limited use of window access and ladders**. **AS**

**EB302.1 V** Deletes, without substitution, the VEBC section on “Existing Materials;” this section was an IEBC (Model Code) retrofit requirement, not related to any construction, and **could be used to require extensive retrofit of existing buildings**. **AS**

**EB304.1** Revises the VEBC to make clear that **all replacement glass** must meet current Virginia Construction Code material requirements, regardless of when the building was constructed, and that the provision **is not a retrofit requirement**-- it only applies when glass is being installed or replaced, and is not a requirement when no related construction is proposed. **AS**

**EB307.1 V** Eliminates the separate section in the VEBC on “Reroofing and Roof Repair” and relocates relevant provisions to the section on “Level 1 Alterations;” also revises the definition of “Roof Covering” to include reference to “spaced supports” to capture coverings that might not be installed over a deck, e.g., structural metal roofs**.** **Clarifies that re-roofing does not require compliance with the latest Energy Conservation Code**. **AS**

**EB402.1 V** Clarifies that an existing building or structure that **undergoes a complete change of occupancy (COO), without any alterations to the building,** **is not required** to be provided with additional accessibility features. Even under the 2010 ADA Standards, a mere change of occupancy, absent any alterations, does not trigger the need to provide “additional” accessibility features; however, both the 2015 VEBC and 2018 IEBC (Model Code) provisions mistakenly said that a COO triggers a requirement to provide six additional accessible features. **AS**

**EB404.3 V** Clarifies when **an alteration to an existing building may trigger additional accessibility requirements**, by applying a practical test of whether the alteration may affect the usability of or access to an area containing a primary function. **AS**

**EB502.1.1** Would amend the VEBC to **require that repairs to structural concrete must comply** with American Concrete Institute (ACI) 562-19, Code Requirements for Assessment, Repair and Rehabilitation of Existing Concrete Structures. **Consensus Disapproval by Work Group, C&S Committee and Board after objection from Va AIA, with AOBA support, out of concern that it could conflict with current VEBC provisions allowing repairs that simply restore repaired structural concrete to its pre-damaged state.**

**EB504.1.6 V** Amends the VEBC in two significant ways: **to require that repair or replacement of required smoke alarms shall be with devices listed in accordance with UL217 and that are no more than ten years from the date of manufacture; and that battery-powered devices shall be powered by a 10-year sealed battery**. AOBA supported this proposal from the Fire Services, which reflects the movement toward eliminating nuisance activations and reducing occupant disconnections by use of improved technology, and of low-maintenance devices using 10-year sealed batteries, which allow the entire device to be properly powered until it is time to replace the entire device. **AS**

**EB601.1 V** Clarifies that even **substantial structural alteration to an existing building must only comply** with the requirements of the building code under which the building or structure or the affected portions thereof was built, or as previously approved by the building official; but that new structural members added as part of an alteration or repair must comply with the VCC for new buildings. **AS**

**EB601.4 V** This proposal would improve the VEBC by providing important details about **energy efficiency requirements that apply to common alterations to existing buildings**. It generally follows the principle that if an assembly is not altered, it need not be brought up to current code; however, where assemblies are altered, they should comply with reasonable efficiency requirements that can be incorporated in a straightforward way. None would force building assemblies to be more stringent than new construction, and none would force a retrofit of a part of a building that is not undergoing alterations. **AS**

**EB701.4 V** Would have provided that **changes of occupancy** or use in commercial or residential buildings **will trigger compliance with the latest IECC (Model Code)** requirements. **NC by Work Groups, Disapproval by C&S Committee and Board after forceful objection from VaAIA, AOBA, HBAV**

**EB704.1 V Clarifies when fire protection measures** (sprinklers, alarm and detection systems, standpipe systems) **will be required when a building undergoes a change of occupancy.** Several plan reviewers have been wrongly interpreting VEBC Sec. 704 to require compliance with the entire Chapter 9 of the VCC—thus also bringing in standpipe systems, portable fire extinguishers, alarm systems, smoke control systems, smoke and heat removal, etc. **NC by Work Group, but Approved as submitted by C&S Committee and Board**

**EB1101.18 V**This proposal, if adopted, **would have required that, no later than March 1, 2031, all existing high-rise buildings with standpipe systems shall be equipped throughout with an NFPA 13 automatic fire sprinkler system**, or hold an approved compliance schedule. Building owners would be required to file a compliance schedule with the code official not later than one year after receiving a written notice of violation, and the schedule shall not exceed twelve years for full compliance. **Withdrawn, in the face of fierce opposition led by AOBA**

**VIRGINIA PROPERTY MAINTENANCE CODE (VPMC)**

**PM103.2.3** VPMC change proposal submitted by AOBA, related to PM105.2 and 105.4, authorizing code official **to request information confirming that a tenant has entered into a written agreement to assume certain owner maintenance responsibilities (and thus that the tenant may be cited** for a noncompliant condition). **AS**

**PM105.2 V Property Maintenance Code change proposal submitted by AOBA** which makes clear that, where a housing provider and tenant have **agreed in writing that the tenant shall perform certain of the housing provider’s specified maintenance duties,** and those duties subsequently are not performed, the code official shall **issue a correction notice of notice of violation to the tenant** as the person responsible. **AS**

**PM105.2(2)** Adds language to the VPMC requiring that, when the owner is not the responsible party to whom a notice of violation or correction notice is issued, **a copy of the notice shall also be delivered to the owner**. Prompted by a building fire that occurred after numerous maintenance and fire code violations were cited but which were never brought to the property owner’s attention. **AS**

**PM105.4** Similar to **PM105.2** above, **also submitted by AOBA**. **AS**

**PM106.3** Proposed change would delete Model Code provisions which **would, if not deleted, grant code officials authority to require any level of retrofit to a building they deem to be “dangerous”**—as such, they are not maintenance provisions, but rather are code official-determined retrofit provisions. **AS**

**PM302.5 V** Proposed changes would harmonize the Property Maintenance Code with provisions in the Code of Virginia, Health Dept. regulations and HUD standards regarding **rodent harborage and insect infestation**. **AOBA worked with the proponent to delete language that could have made property owners responsible for conditions on adjacent premises that were not owned. AS**

**PM312 V** Proposed change sought to amend the VPMC to **require that all rental residential buildings over 50 years old must undergo comprehensive inspection** (structural, electrical, sanitary, environmental, safety systems, etc.) by a qualified private inspector, and at least every 40 years after the most recent such inspection report. **After strong opposition led by AOBA, Consensus Disapproval by Work Group, C&S Committee and Board**

**PM604.3.1.1** Adds language to VPMC to require that, **when building electrical equipment has been exposed to water,** a third-party inspector asserting that exposed equipment does not require replacement must be approved by the building code official; an earlier version prohibited a third-party electrician from performing this from providing such assurances, **but was broadened after objections from AOBA and other stakeholders**. **AS**

**VIRGINIA ENERGY CONSERVATION CODE (VECC)**

**E402.1.4.2** Clarifies that the U-factor compliance method is acceptable for roof/ceiling assemblies, and clarifies how to calculate the U-factor contribution of tapered roof insulation, which is **an important component of new and replacement roof systems**. **AS**

**E404.2** Proposal was designed **to require builders to make new residential and commercial buildings “solar ready,”** subject to certain limited exceptions, by creating “solar ready zones” with pathways for routing conduit or piping to “reserved space” in electrical service panels and service hot water systems. **Non-Consensus by work groups, Disapproved by C&S Committee and Board**

**E404.5 Deletes 2018 Model IECC requirements regarding heated water supply piping.** The problem of heated water taking an excessively long time to reach lavatory faucets in public restrooms is well known. Added return branches and increased pipe sizes for serpentine-like systems would require large up-front and maintenance costs, as well as require larger recirculation pumps to account for the additional flow, head and heat loss created from energy code restrictions. **AS**

**E405.10 V** Would have **required that new commercial and multifamily buildings provide a minimum of two Electric Vehicle (EV) Ready spaces** (i.e. provided with one 40-ampere, 208/240-volt dedicated branch); and, **where 26 or more parking spaces are being provided, that at least 20% of total spaces be EV Capable** (i.e. electric panel capacity and space to support the minimum required branch circuit and installation of raceways both underground and surface mounted). **NC by Work Groups,** **Disapproval by C&S Committee and Board after forceful objection from AOBA, HBAV, VaAIA**

**E501.1** Deletes the administrative portion of the VECC regarding existing buildings and clarifies that code officials should refer to the Virginia Existing Building Code for relevant energy provisions relating to alterations, repairs, additions and changes of occupancy. **AS**

**E502 V**  Would have required that “additions” to any building system be treated as an “addition” required to meet energy efficiency standards applicable to new buildings. That would conflict with the VEBC, which holds that any “reconfiguration or extension of any system [and] any additional equipment” is a Level 2 alteration, and is not required to meet the latest energy efficiency standards. **AS, after proponent modified, in response to AOBA and VaAIA objections, to clarify that only additions to existing buildings (not to their systems) must meet new energy code provisions.**

**E503** Moves provisions regarding energy efficiency in existing buildings from the IECC to the VEBC, to minimize confusion; and further **underscores that existing buildings are not subject to the same energy conservation standards as new construction.** **AS**

**E504.1** Moves the requirements of Sections C504 and R504 of the VECC to the VEBC; **clarifies that “like materials” can be used for repairs, and that repairs need not comply with the VECC,** provided the repairs do not result in reduced energy efficiency. **AS**

**E1301.1.1.1 V** Would have **required strict adoption of all 2018 International Energy Efficiency Code (Model Code) insulation standards-- for walls, ceilings and fenestration-- for new residential construction of less than four stories**. This would have rejected prior decisions made by the BHCD to adopt compromise proposals reached by energy efficiency advocates and the Home Builders Association of Virginia (with AOBA support). **NC by Work Groups, Disapproval by C&S Committee and Board after forceful objection from AOBA, HBAV, VaAIA**

**VIRGINIA CONSTRUCTION CODE (VCC)**

**A101.6 Clarifies that Virginia amendments to the various model codes for trades will supersede any provisions of the Model Energy Conservation Code (IECC) or the Virginia Energy Conservation Code (VECC)** that address the same subject matter but have conflicting requirements. Such conflicts have arisen regarding electrical systems (e.g., lighting), plumbing systems/fixtures, mechanical equipment and fuel gas. **AS**

**A108.3** If adopted, would have allowed a jurisdiction that has an online capability for permit application and processing to **refuse to accept applications by mail,** or to process them using the mail. **Non-Consensus, and Disapproved by C&S Committee and Board after opposition by AOBA and other stakeholders**

**B202-(4)** Coordinates the USBC and Statewide Fire Prevention Code (SFPC) definition of “BUILDING” with that of the Code of Virginia and the 2018 International Building Code (IBC) provisions **as they relate to "separate buildings."** Per the 2018 IBC Commentary, "Fire walls serve to create separate buildings for purposes of allowable area, allowable height and type of construction requirements... Using these provisions to control other building features or, such as means of egress, building systems or building utilities is not intended or implied by the provisions."

This proposal ensures that the definition in the SFPC matches those in the VCC, VEBC and the Code of Virginia. If means of egress, building systems, and building utilities can extend from one side of a fire wall to the other and not have to be designed as independent systems/utilities and/or limit the flexibility of extending an otherwise compliant means of egress system through and beyond such fire walls, **the cost of construction could potentially decrease**.  **AS**

**B901.5.1** If adopted, **would have added a new requirement** **that**, before giving final approval of a fire protection system, the building **or fire code official** could require the installing contractor to furnish a written statement that the subject system has been installed in accordance with approved plans and tested in accordance with the manufacturer's specifications and “the appropriate installation standard.”

**AOBA and others opposed because state law says the building official is the sole authority having jurisdiction** to approve installation of a fire protection system; and the building official’s methodology for approving systems should be based on factors that best work for their locality. **Non-Consensus, and Disapproved by the C&S Committee and Board**

**B905.3.1** Clarifies that **any new buildings with four or more stories above or below grade plane require a standpipe system.** All other exceptions remain unchanged from the current Virginia amendment. This clarification provides consistency for first responders, as well as the construction industry, to know when buildings are expected to be equipped with a standpipe system. **AS**

**B906.1 V** If adopted, **would repeal the exception to requiring portable fire extinguishers in fully sprinklered Group R-2 occupancies** that AOBA successfully obtained over a decade ago. The change would require portable fire extinguishers throughout fully sprinklered R-2 occupancies unless each dwelling unit is provided with a portable fire extinguisher having a minimum rating of 1-A:10-B:C. **In face of major opposition led by AOBA, Non-Consensus, and Disapproved by C&S Committee and Board**

**B35** Would have adopted the 2018 International Fire Code reference to NFPA 1221-16 (in Sec. 510) as the Standard for the Installation, Maintenance and Use of Emergency Services Communications Systems. **Withdrawn in face of opposition from AOBA and other stakeholders**

**B916,**

**B918.1 V** If adopted, would make **major revisions to, and essentially repeal,** longstanding Virginia Construction Code (USBC) provisions on In-Building Emergency Communications System requirements—**which would result in extensive shifting of responsibility for provision and maintenance of in-building emergency communications equipment from localities to building owners**. **Non-Consensus, and Disapproved by C&S Committee and Board, in face of major opposition led by AOBA**

**B916.1 V**  **Adds an exception to the requirement to provide in-building emergency communications equipment for buildings**, where a locality does not provide the additional communication equipment required for the operation of the system.

Many localities do not give their Fire/EMS services funding to provide the communication equipment required to operate in-building communication systems. In such localities, installation of radiating cable that will not be used makes little sense. Even if equipment will be provided sometime in the future, it is not possible to design the system to operate properly without knowing the equipment specifications at the time of building design. Furthermore, the requirement for the locality to provide the equipment puts localities in a position of violating the code when funding is not allocated to purchase the equipment. This will decrease the cost of construction by not requiring building infrastructure to be installed that will never be used. **Non-Consensus, but Approved by C&S Committee and Board with support from AOBA and other key stakeholders**

**B3002.4 Adds an exception**, when elevator machine rooms, rooms and spaces housing elevator controllers, and machinery spaces do not abut and do not have openings to the hoistway enclosure they serve, **to allow the required fire barriers or horizontal assemblies constructed to be reduced to a 1-hour fire-resistance rating.** If one can utilize the added exception**, this change will decrease the cost of construction**, since lower-rated materials/assemblies almost always cost less than higher-rated materials/assemblies. **AS**

**VIRGINIA RESIDENTIAL CODE (VRC)**

**R200** Conforms the **definitions of “substantial damage” and “substantial improvement”** in the Virginia Construction, Existing Buildings and Residential Codes with those in the respective 2018 Model Codes, which use a threshold, with certain exceptions, of repairs, reconstruction, alteration, etc. the cost of which equals or exceeds 50 percent of the structure’s market value before repairs are started. **AS**

**R314.6(1)** Similar to **EB504.1.6** above for existing buildings, this proposal amends the Residential Code to **allow installation of battery-operated smoke alarms in buildings without a commercial power source, so long as the battery has a minimum 10-year life**. **AS**

**R401.2** This proposal would amend energy efficiency provisions in the Residential Code **to conform to the 2018 Model Code’s REScheck compliance option**, a tool intended to assist builders in selecting cost- and energy-efficient designs. **AS**

**R401.3 V** Amends the energy efficiency provisions in the Residential Code to **require that a permanent certificate shall be completed by builder and posted** “in the space where the furnace is located, a utility room or an approved location inside the building” which indicates predominant R-values of insulation, U-factors and SHGC of fenestration, duct and air leakage test results, and types and efficiencies of heating, cooling and service water heating equipment. **AAM, after being modified at AOBA’s insistence to provide that “Where approved, certificates for multifamily dwelling units shall be permitted to be located offsite at an identified location.”**

**R402.1.2,**

**R402.4.1 V** Since 2009, the Model Energy Efficiency Code editions have steadily increased minimum insulation requirements for ceilings, walls and fenestration in new construction, building envelope tightness standards and required mechanical testing of tightness. Virginia, however, out of concern for “first costs” impact on housing affordability, has maintained residential standards at the 2009 levels, and allowed a visual inspection for envelope tightness.

Energy efficiency advocates have taken increasingly aggressive aim at these policy decisions—this year, submitting multiple proposals to adopt the latest (2018) Model Energy Conservation Code insulation requirements, envelope tightness standard (3ACH) and testing method (blower door only).

**This cycle, energy advocates and key stakeholders concerned with housing affordability, including AOBA, negotiated a compromise on these issues**, agreeing to 1) adopt the 2018 insulation standard for ceilings (R49 and 0.26 U-Factor), 2) maintain the 2009 insulation standard for wood frame walls (R15 or R-13+R-1 and U-0.079), 3) eliminate the visual inspection option for envelope tightness testing, and 4) maintain the 2009 tightness standard (5ACH). **Importantly, adoption of the 2018 standard for wood frame walls would have required new construction to use 2x6 inch, rather than 2x4 inch studs for framing.** **AAM**

**R403.1.2 V** Proposal would have amended the VRC and VECC to **prohibit use of electric resistance heat as the primary heat source for space heating in new residential construction, or as a replacement for a heat pump in existing dwelling units**; and would prohibit supplementary electric-resistance heat in heat pump systems from energizing unless the outdoor temperature is below 40 degrees F. **Non-Consensus by Work Groups after strong opposition by HBAV, AOBA and Va AIA; Disapproved by C&S Committee and Board**

**R403.1.4 V** Proposal would have **prohibited installation in new residential construction of HVAC systems that rely on combustion of gas or other fuels** as the primary systems for space heating.**Non-Consensus by Work Groups after opposition by HBAV, AOBA and Va AIA; Disapproved by C&S Committee and Board**

**R404.2 V** This proposal would have **required that all systems using gas or propane water heaters, dryers, or conventional cooking equipment must also be “electric ready”** to provide “customer choice of gas or electric service” by mandating parallel installation of individual branch circuits and outlets within three feet of each household range, clothes dryer, water heater. **Non-Consensus by Work Groups after strong opposition by HBAV, AOBA and Va AIA; Disapproved by C&S Committee and Board**

**R407.1.1** Proposal would have modified the energy efficiency provisions of the Residential Code **to require that**, in addition to all other mandatory efficiency measures, **builders must select and implement an additional measure** from a prescribed list of “Additional Efficiency Package Options.” **Non-Consensus by Work Groups after strong opposition by HBAV and AOBA; Disapproved by C&S Committee and Board**