

Workgroup 2, Fire Code Edits
Virginia Housing Center
April 25, 2017
Summary Notes

Cindy Davis explained that since there were 3 or more members of the Board of Housing and Community Development (BHCD) present it was advertised as an official board meeting, it was necessary to open the meeting and call roll to determine that a quorum was not present and then close the meeting. This was done on advice from our legal counsel. BHCD meeting minutes can be accessed through the Virginia Town Hall website at <http://townhall.virginia.gov/L/ViewMeeting.cfm?MeetingID=25895>.

Cindy Davis welcomed everyone and gave an overview of this process and then had attendees introduce themselves.

F101.4.1 Construction Requirements

This is a new section which has nothing to be compared with from the previous proposed cycle because this was added by the Fire Services Committee.

Comments:

Emory Rodgers asked if this should be moved to 101.2 since this is the Scope of the Fire Code. William Andrews commented this was valid. William Lloyd agrees with Emory.

Linda Hale asked about food trucks, would this apply since not regulated by USBC?

Robby Dawson stated he had a problem with the second “not”. He thinks it should be removed. He will re-write to make affirmative instead of two negatives.

William Lloyd stated we want the localities to regulate food trucks.

Cindy Davis said staff will change the status of the proposal to “comments to proponent” and make a note in Section 101.4.1 which may end up being Section 101.2.1 and will bring back to the proponent.

Cindy Davis stated that the workgroup that came up with the proposed regulations came up with the definition of “applicable building code” and the Fire Services Committee edits came up with the definition of “building code”. The definition of building code says “building code, including construction and rehabilitation portions, which was applied to the building when it was constructed, renovated, or rehabilitated.” Applicable building code says “Whatever local or state building code in effect when a building was initially constructed, or underwent a subsequent alteration or change of occupancy. If no local or state building code was in effect when a building was initially constructed, or underwent a subsequent alteration or change of occupancy, then the phrase shall be

maintained in accordance with the applicable building code shall mean to maintain as originally constructed.

Glenn Dean asked what the benchmark was for originally constructed. If there is no code, what is the benchmark?

Cindy Davis stated the benchmark would be that it was legally allowed to be there when it was constructed.

Glenn Dean stated that if no local or state building code was in effect at the time, what am I trying to maintain to?

Cindy Davis stated that whatever was there when it was constructed. If a building legally existed with no building code in effect when it was constructed, the flip side would be to retroactively require something be applied to.

Emory Rodgers said some of the pre USBC buildings in many localities had local building codes such as Fairfax, Arlington and Alexandria. In 1950 adopted the BOCA code. Buildings pre 1935 would be able to be maintained in accordance with the way they were built until the owner came in, paid the building permit for alterations and then you would start applying the Virginia existing building codes.

Robby Dawson stated there was confusion from the FSB committee and felt that the definition proposed was more concise than the proposed regulations. That same concern about pre USBC buildings exists for both proposals, but there is more ambiguity with the proposed phase proposal. Another question raised by the committee was how many buildings in the Commonwealth do not have any building code applied?

Kenney Payne asked if the SFPC utilizes the definitions from the IBC or the VCC.

Robby Dawson responded that that's the part two below and they pulled the definition for Change of Occupancy from today's building code.

Vernon Hodge said we have talked about the new definition of building code. Maybe we can add a provision in Chapter 1 dealing with those buildings that didn't have any code in effect when they were built.

Cindy Davis stated that there is a section of pre-USBC buildings. She stated that we talked about adding one sentence to clarify this at the end of this definition and this would take care of it.

Robby Dawson stated personally he doesn't see a problem with the way it is written in the existing 102.2. Nothing is broke so why fix it? If it was built before 1970 and rehabilitated in 1990 it may add confusion. 102.2 is clear.

Rick Witt stated the definition of change of occupancy should be consistent throughout the code. It should be the same in VRC, VCC and IBC. He also stated we need to address “applicable building code” upfront. It should be the applicable building code. The best thing might be a combination of both proposals.

Cindy Davis said she heard “the change of occupancy should be what everyone agreed to as consensus at the last workgroup meeting. She asked for clarification about adding applicable in the definition.

Rick Witt said in front of the definition or the term and you have to address this somehow even if it’s a second sentence “those buildings that were built prior to the code” because of numerous buildings fitting this criteria.

Vernon stated if you strike the last sentence in the applicable building code version both proposals really are the same and 102.2 addresses pre USBC buildings.

Greg Revels stated he was concerned by the scoping criteria in definitions. This needs to be in the body of the code text. Older buildings belong in Chapter 1 in the scoping provisions and not here in the definitions.

Cindy Davis stated that she is hearing this term “applicable building code” that is being considered for use throughout the code should not be defined.

Greg Revels responded that he thinks we need to be cautious and address this in Chapter 1.

Andrew Milliken agrees with Greg Revels and stated we need to be consistent with scoping language.

Glenn Dean also agrees with Greg Revels stated he wasn’t confused before; however, he has some confusion setting in now.

Cindy Davis stated as an overview of what we started out doing, we were replicating everything here and every single section of the code where construction requirements were removed. There was a consensus of the group at that time not to have to repeat this everyone and define what the applicable building code is. We shouldn’t have to repeat this every time. Can we just define what the applicable building code is, place in italics and this is how you know it is a defined term and then go back and put it in the book once instead of copying and pasting in every section of the code. Now what she is hearing is the description of the applicable building code should be in the text everywhere it is used and not defined.

Robby Dawson stated it is telling you which book to go to.

Cindy Davis stated that if the SFPC is a maintenance operation document that is based on being maintained in accordance with the code that was in effect at the time the building was constructed how can you use the term “applicable building code” without defining it.

Greg Revels stated just edit it in Chapter 1 not in the definition.

Brian McGraw stated that in the SFPC it refers to a more generic definition to clarify that it is not. As we go through further edits, we have replaced Virginia Uniform Statewide Building Code with just the generic building code as defined in the fire code.

Glenn Dean stated he believes the existing 102.2 of 102.3 addresses that.

Cindy Davis stated we would set this aside for the moment as we work through the technical requirements of the section, it may become more clear on how this needs to be defined.

Chapter 3 General Requirements

Book Part II General Safety Provisions

Section 304 Combustible Waste Material

304.1.2 Vegetation

Workgroup struck the last sentence “Vegetation clearance requirements in urban-wildland interface areas shall be in accordance with the International Wildland-Urban Interface.” The FSB edits leaves the reference to the International Wildland-Urban Interface intact.

Glenn Dean asked what the measurement was. Doesn’t the FSB edit accomplish this?

Cindy Davis stated that this was a question that was brought up and I think what we did at this point we said, how about if staff goes into the Wildland-Urban Interface Code and whatever the parameters are for vegetation in that lets chop them out and put them in this section so there is clear parameters.

Robby Dawson stated that one of the goals of the FSB edit was to eliminate the Appendix N.

Cindy Davis stated that when we went to that code and looked for the vegetation requirements to try to move them in here, we found out there isn’t any. When you go to that code, the only thing it tells you to do with vegetation is to adopt a map, identify which properties are within the Wildland Urban Interface Code and then prepare a vegetation plan that will be approved by the fire official. It doesn’t give you any other specifics.

Kris Bridges wanted to point out that weeds and grass are addressed in other codes.

Cindy Davis stated the Wildland Urban Interface Code is not in effect in Virginia. It was proposed to have been adopted in the last two code cycles and it was not.

Robby Dawson said it is the code today and it is enforceable because it's a referenced standard.

Glenn Dean stated that the reference to the Wildland Urban Interface Code is not for construction requirements.

Rick Witt stated VBCOA is against leaving that text in the code. Was developed for properties out west.

Glenn Dean stated a state forester reported there was more acreage and more property damage east of the Mississippi than west of the Mississippi. The difference being while the western part of the country had larger fires they were fewer in number. Whereas the eastern part of the country had a larger number of small fires. More acreage more damage. In regards to grass, it is applicable primarily to urban areas not rural.

Robby Dawson stated that the proposal that came through the BHCD about a cycle or two ago included the whole Wildland Urban Interface Code to include the construction provisions in the Wildland Urban Interface Code that was turned down. There was no discussion about how the Wildland Urban Interface Code, the SFPC, the IFC interact. He thinks to delete this is creating a condition for local fire officials not to have guidance.

Cindy Davis stated this puts the burden on the owner of the property to develop the vegetation plan and how they will maintain it and get it approved.

Andrew Milliken asked for an elaboration on how this is unenforceable?

Cindy Davis stated for vegetation, you have to enforce the Wildland Urban Interface Code in total, which requires adoption by the locality of an official map that shows which properties are included in the Wildland Urban Interface area. Even then, the requirement is for the property owner to submit a plan showing how the vegetation will be maintained, there are no technical requirements per se that can be enforced by local fire officials.

Shaun Pharr stated you have a historic record of the reference standard being rejected.

Glenn Dean stated in 102.4 it is a prescribed extent of each such reference. Does not include construction requirements.

Cindy Davis responded that it does include administrative requirements.

Non-consensus, the Attorney General's Office will be asked for their legal opinion.

Brian McGraw stated based on your rationale, the Wildland Urban Interface Code being a referenced standard, not enforceable, how is it then for all construction standards that the intent of using the IFC as a reference code?

Cindy Davis stated it is not.

Robby Dawson stated the BHCD never debated the vegetation part of this specific section. It was a debate on the construction part of the Wildland Urban Interface Code.

Emory Rodgers stated the VBCOA recommends striking this. Building code sometimes can be more stringent than the fire code. We are not going to agree.

Brian McGraw stated local jurisdictions can adopt something more stringent. 67% of the land mass in the Commonwealth of Virginia is under enforcement of the SFMO so what comes in here is what gets enforced. If it is not here, we have not ability to enforce it. For those of you who said the Wildland Urban Interface Code is intended for out west, and that it can't happen here. One word, Gatlinburg.

304.1.3 Space underneath seats

William Lloyd stated the fire official should be able to regulate underneath the seats such as trash and sawdust, especially a circus. We are not talking about 1-hour condition only the trash. Anything combustible cannot be stored here because it creates a storage environment. You have taken away the ability to regulate the debris and the trash underneath the seats.

Cindy Davis responded that the discussion of the work group during the proposed phase was specific to construction requirements and the ability to enforce the storage of trash remains.

Shaun Pharr stated the wording is clear, spaces shall be kept free from combustible and flammable materials, that's your authority right there. 304.2 still says you can't store combustible rubbish.

Glenn Dean stated the fire official is not requiring 1-hour construction to be installed; he is approving the storage of materials based on the rating.

Rick Witt said pre USBC storage space underneath what is going to be applied to it? Does it have 1-hour rating? Any rating? No storage is allowed.

Glenn Dean responded that if there is a rating, then he will allow storage, if not, there is no storage.

Keith Chambers stated the problem he has is it doesn't give the fire marshal the ability to allow storage.

Non-consensus

304.3.3 Capacity exceeding 1.5 cubic yards.

Exception 1

Andrew Milliken stated this deals with sprinkler systems of NFPA 13, 13R and 13D standards. This specifically gives guidance of the fire code system. I think we need to add applicable before NFPA. There is no retroactive exception in this section.

Greg Revels said he believes applicable should be added.

Kenney Payne asked how long NFPA 13, 13R and 13D have been around. How can we apply this if it didn't exist? Glenn Dean stated 13 has been around a very long time, not sure of 13R and 13D, maybe 1970's.

Russell Furr stated he believes the storage issue is not construction issue but a fire storage issue. Linda Hale stated that this is specific to a 1.5 cubic yard dumpster or larger that require mechanical means to dump and inquired as to how long these large dumpsters have been in existence. She made the point that these large dumpsters didn't exist back when these historic buildings were built so if you want to be able to put this new hazard in place, then this is what has to occur.

Brian McGraw stated that NFPA 13 was first published in 1896, the first edition of 13D was published in 1975, and the first edition of 13R was published in 1989. We learn from our mistakes regarding unprotected dumpsters.

George Hollingsworth stated we are not considering the intelligence of the person that's out doing this and their training. We need the inspectors to be properly trained.

Non consensus there was a compromise on using "applicable" in front of NFPA 13 standard.

304.3.4 Capacity of 1 cubic yard or more.

Exception 1

Cindy Davis stated it is the exact same language regarding applicable building code versus identifying NFPA 13.

Non consensus

Section 308 Open Flames

308.3 Group A occupancies

Gas lights

Emory Rodgers stated some gas lights are in a gas system. If hooked up to a gas system, it will come under the International Mechanical Code.

Linda Hale stated the FSB edit is more specific to allowing when the building official approves it. The proposed language is more limited to when it is not part of the construction of the building.

Keith Chambers stated the proposed language limits you from allowing combustible materials.

Consensus for FSB edit. The Original language in Item #3 should be left as proposed by Fire Services Board.

Section 311 Vacant Premises

311.1.1 Abandoned premises

Kris Bridges stated they effectively say the same.

Andrew Milliken said the only difference is the word abated. Shaun Pharr said he believes it should say unsafe “until” abated. Sean Farrell stated the Property Maintenance Code or Virginia Maintenance Code indicates that when you have an unsafe structure by simply securing that structure you have abated the unsafe condition without actually fixing the problem.

David Beahm stated he has a problem with “and”. It means that you have to do both. It should be Virginia Maintenance Code or Building Code.

Emory stated that the FSB proposal unintentionally has the fire official enforcing the maintenance code and is not statutorily permissible to do so.

Robby Dawson stated this isn’t the fire official enforcing the maintenance code, it says you have to fix it with the property maintenance code. You have to go to the building official to find out how to building the structural wall.

Shaun Pharr stated perhaps we should say “shall be considered abandoned and unsafe until declared abated in accordance with the Virginia Maintenance Code or the Building Code.” The only person who can declare it abated under the two codes is the building code or maintenance code.

Consensus for FSB edit with adding Shaun’s language.

311.2.3 Fire Separation

Robby Dawson stated the difference was the definition of maintained.

Linda Hale – When we started with Chapter 3 we were to remove the unenforceable items, take out protected and add maintain. This makes it enforceable.

Kenney Payne asked if you were allowed to enforce this under the current IFC versus how it was constructed.

Andrew Milliken said we are trying to maintain it according to Chapter 7.

Kris Bridges stated we need to make sure we are using the correct version of Chapter 7.

Glenn Dean stated the premise is supposed to be to massage Chapter 7 where it is fully enforceable. Whatever comes out we maintain in accordance with Chapter 7. The problem with the proposed version is that you need to determine what is applicable and what is not.

Robby Dawson said it shall be maintained in accordance with the applicable building code. The building code does not specify maintenance as in service-related maintenance (changing oil, rotate tires), the fire code does. Maintained in accordance with Chapter 7 which tells you what service related maintenance has to be and that you have to keep it the way it was built. You are to keep it as it was built.

Emory Rodgers suggested the FSB edit could work if we change Chapter 7 to be maintenance provisions only. No objection to the new proposal from FSB edit.

Bill Aceto stated the last sentence says "Openings, joints and penetrations in fire-resistance-rated assemblies shall be maintained". If the opening is there, it should be maintained. He suggests taking protected out and add at the beginning of the sentence, "protection of openings joints and penetrations". He doesn't think you can take out protected and replace with maintained.

Sean Farrell stated this is not proposed being changed and should be a separate proposal in cdpVA. Linda Hale says what is being proposed in Chapter 7 by FSB will address this concern.

Greg Revels suggested just deleting the sentence if it is already in Chapter 7.

Consensus for FSB with some revisions made by proponent clarifying what is being protected and provided that Chapter 7 reflects maintenance only.

311.3 Removal of combustibles

Same difference in terminology that needs to be resolved. Will be up to the BHCD to decide.

311.6 Unoccupied tenant spaces in mall buildings

Robby Dawson said we just struck #2 without substitution. If the rated assembly is there it must be maintained.

Consensus for FSB edit

Section 313 Fueled Equipment

313.1 General

Vernon Hodge stated we don't need to make decisions on to use the reference of NFPA or applicable building code because this will be settled by the BHCD. The difference is using "protected" vs. "equipped" in item #3.

Kenney Payne thinks the FSB edit is ok.

Andrew Milliken asked if there was consensus for applicable NFPA 13 language with corrective scoping by adding "applicable" NFPA standard. Rick Witt stated he thinks Andrew Milliken has a resolution to adding "applicable" NFPA language. In support of the concept.

Vernon stated that if this can be resolved here, it can be changed throughout the document. This gets rid of the conflict where the current NFPA is referenced and takes you back to the appropriate building code.

Consensus for FSB edit in Item 3 with adding "applicable" NFPA 13 and striking equipped and keeping "protected" to stay in alignment with the rest of Chapter 3.

Section 315 General Storage

315.3.4 Attic, under-floor and concealed spaces

Linda Hale stated she thinks it is addressing the storage of combustible materials. The building code does not typically address and allows an exception that the building official can provide for that 1-hour fire resistance rated construction. We are not trying to dictate how to build something we are just trying to be sure that there are ticklers for the fire official for the storage.

Exception 1, Exception 2

William Andrews says if there is no documentation for the attic saying it has always been used for storage or not explicitly prohibited, there is no way of knowing if it was allowed.

Vernon Hodge stated you make a referral to the building official and if this is a change of occupancy you can't do it without some changes. The FSB version makes subjective judgement about the construction. Both may need some work.

George Hollingsworth stated unless you can show me your permission it must be removed.

Carry over pending with revisions to proposed regulations and FSB edits

315.6 Storage in plenums

Rick Witt stated he preferred the proposed regulations. Storage shall not be used in a plenum.

Glenn Dean asked if the intent was to say unless the construction approved by the building official is to be used for storage.

Cindy Davis answered that the approval comes from the building official and may or may not be based on construction.

Shaun Pharr stated you need the proposed language (on the right) otherwise you are from this point on prohibiting the continued use and I don't think we want to do this.

Andrew Milliken asked about a modification and pre USBC. We are getting stuck in every chapter.

Robby Dawson said the fire official should get credit for understanding how Chapter 1 is being applied throughout the code. You should replicate Chapter 1 right behind 315.6.

David Beahm stated that it is not just for the fire official or the owner, but for everyone to understand. The FSB edit says you cannot do it period.

Shaun Pharr stated he could not find the authority to use in the FSB edit.

Sean Farrell asked when plenums became prohibited, as a point of consideration.

Non-consensus

Section 317 Rooftop Gardens and Landscaped Roofs

317.1 General

Section 318 Laundry Carts

318.1 Laundry carts with a capacity of 1 cubic yard or more

NFPA 13 add applicable

Consensus for FSB edit with adding “applicable” before NFPA 13

Chapter 4 Emergency Planning and Preparedness

403.8.3.2 Employee staffing

Consensus for FSB edit pending “Building Code” definition

Chapter 5 Fire Service Features

501.4 Timing of installation

No action - State amendment

504.2 Maintenance of exterior doors and openings.

Robby Dawson stated you have to have a building permit to take out the exterior door or opening.

Kenney Payne suggested he would support the FSB edit.

Consensus for FSB version (keep original text) referenced sections will have construction provisions removed.

504.3 Stairway access to roof
Consensus for FSB edit

507.5.6 Physical Protection

Andrew Milliken stated you have to provide this.

Sean Farrell stated it was not struck in proposed phase version.

Consensus for proposed version leaving in reference to Section 312

Section 508 Fire Command Center
508.1 General

Andrew Milliken stated the FSB edit wants to make sure the command center shall be maintained where required or provided. Kenney Payne suggested saying “where provided”.

Shaun Pharr stated the FSB edit pertains to Sections 508.1.1 through 508.1.6. That would be the current version of those provisions. If I have a fire command center that has been built in accordance with the applicable code, will this require me to comply with the current versions of these sections?

Robby Dawson stated we didn't change any of Sections 508.1.1 through 508.1.6. Fire rated construction shall be maintained.

Andrew Milliken stated it is not the intent to take the fire command center out. Go through an approval process if they take it out.

David Beahm said if the command center is not required and is only made up of fixtures that are not regulated by the building code, who gives authority to have it removed or what is that approval process?

Cindy Davis said this is similar to the maintenance code where a toilet is not required in the basement, but if it's provided, it must be maintained.

George Hollingsworth stated this is no different than the fire protection system.

Robby Dawson stated that you are changing the layout or modifying what is listed in the layout section and you need the approval for this change. Approval needs to come from the fire official.

Brian McGraw said that changes to the layout of the room (tables, chairs, telephone, etc.) should be approved by the fire official. This will have an impact on the fire department's operation when they come into that building.

Rick Witt stated that the fire official should be notified, not just for approval, it is your choice to have it or not. For an operational standpoint please notify me first, but if it is not required, it can be taken out.

Cindy Davis asked how often a fire command center is provided that it isn't required.

Brian McGraw stated Northern Virginia has a famous practice for where you can't meet the access requirement specified then the catchall was meet the high rise apartment requirements which gives additional protection. To him if you meet the additional high rise requirement, you meet the fire command center requirement. Look at a shopping mall or industrial facilities and they have a legitimate fire command center because of the type of operation.

Cindy Davis asked what the consensus of the room "if provided it has to be maintained" or changes have to be approved? If there are problems with this language, then we need to stop here. Is it required or provided?

George Hollingsworth had a question of the items in the fire command center don't they still require a permit whether it is elective or not?

Bill Aceto stated you can't take out a fire alarm control panel without getting a permit.

Shaun Pharr stated it is technically optional in the first place. There should be provisions for making a decision on down the line to decommission that feature. He thinks this section should recognize or contemplate that a fire command center cannot be removed or decommissioned without have some sort of approval process. It has to have an optional reference that it can't be taken out without permission from the building official.

Andrew Milliken believes we are all on the same page. He thinks it should be necessary to get approval to remove it from the fire official.

Robby Dawson stated he didn't necessarily disagree with Shaun's comments. He stated this may need a separate code change outside of this.

Linda Hale stated this is just assuring there is a give and take. There does need to have a removal process that it goes through. It is not just the building code that it is impacting; this is definitely an operational aspect. Storage becomes limited and then you see this as someone's office. We need to be able to address that.

Emory Rodgers stated he was ok with the FSB edits except down to the list of features. Then I would prefer to see the proposed language. Required features would require an applicable code of maintaining. Layout typically putting required or not required should go to the fire officials. Altered or changed panels need to go through the approval process.

Shaun Pharr stated that his concern was that the 508.1 in the FSB edits strictly requires compliance with 508.1.6. With this list of required features, it has changed over the various cycles. Currently there are 18 items there and if you don't have all 18 you are not in compliance.

Andrew Milliken stated we do need to pay attention to maintaining all the components. We may need to re-write the proposed regulation to accomplish this.

Robby Dawson stated the problem he sees with the proposed regulation is the following features shall be maintained. We want at least the minimum equipment that is required on this system.

Brian McGraw stated in 508.16 the list of 18 could be separated into things that are system related items that are covered by the building code at the time they were installed. Then there are other items such as schematic plans and signage that fall into the operational and maintenance category where those requirements have been added in recent years based on real fire fighters fighting high rise fires.

The FSB edit is pending due to additional work needed

Section 509 Fire Protection and Utility 509.1 Identification

Robby Dawson said we are dealing with the access shall be maintained in an approved manner.

Consensus for FSB edit

Chapter 6 Building Services and Systems 603.1 Fuel fired appliances Installation

Kenney Payne asked if comply and maintain mean the same thing?

Andrew Milliken stated the first sentence applies to installation. The installation shall be maintained. He is a little unclear about the proposed regulation proposal.

William Andrews stated the FSB edit says if not a non-portable one including portable devices shall comply with this section. The FSB should care about this maybe not the building official.

Cindy Davis stated the group was saying permanent devices need to be under the building code while portable devices under the fire code.

Robby Dawson stated the issue he has with the proposed regulation proposal is that – maintained to the fire official means to be serviced. It is an installation section.

David Beahm stated the portable devices, if unstruck in the proposed regulation proposal that is only addressing items that are regulated by the IMC whether they be portable or installed. If it is not regulated under the mechanical code, this section does not apply to that. Portable is off the table whether it is struck or unstruck.

Cindy Davis stated she thinks everyone is in general agreement that installation is governed by the building code and portable equipment is under this section. The question is does either proposal say what they need to say?

Greg Revels asked when it says “all other fuel fired appliances including portable devices”, what else is there other than portable?

Andrew Milliken stated he thinks he knows what he is saying, and his suggestion was to go back to the IFC, portable items that are not regulated. These are the other items the code is pertaining to. Go with IFC language.

Robby Dawson said take out installation add the use of all other fuel fired appliances, remove design and construction section. Take out approval of design and construction.

Andrew Milliken and Robby Dawson will look at this edit and bring back to the table. Un-strike the second sentence and replacing install with use.

Rick Witt stated we do have work to do on this.

Carry over, Pending

603. 2 Chimneys

One references NFPA 211 and one references specifically maintenance provisions in NFPA 211. It precludes the construction requirements of 211.

Consensus for FSB edit

603.3 Fuel oil storage systems.

Rick Witt stated it is purely maintenance.

Robby Dawson stated the NFPA 25 schedule applies to maintenance repair not to change it. It doesn't apply to something that doesn't exist.

Cindy Davis stated we will make a note regarding a question about whether or not the reference to the maintenance standard should be the applicable maintenance standard.

Brian McGraw stated the entire fire code is a maintenance document so does that mean that if I have a building that was constructed in 1972 I now have to go back to the 1972 fire code to find my maintenance provisions?

Rick Witt responded that he is just concerned with subjecting people with something they weren't required to do before.

Kenney Payne said 20 years ago the decibel reading was 25 now it is 45. Under the current language, how would you read it?

Andrew Milliken stated under the NFPA72.

Robby Dawson summarized his notes that the concept was to strike the 2nd sentence and replace installed with use and strike IMC.

Consensus for FSB edit with Rick Witt's committee looking into the maintenance provisions.

603.3.1 Fuel oil storage of outside, above ground tanks

Robby Dawson stated that 660 gallons still needs to stay. Quantity limit needs to stay.

Consensus for FSB edit

603.3.2 Fuel oil storage inside buildings

William Andrews stated that oil storage in a building could be in 55 gallon drums. Does the building code address this?

Andrew Milliken stated the proposed regulations is too broad and needs some guidance.

Glenn Dean suggested we need to keep the exceptions or we may get into some unintended consequences.

Kenney Payne stated he heard Robby Dawson said they wanted to get rid of the "N". Can you explain the Appendix "N"?

Cindy Davis stated when the workgroup first started discussing this, some of the questions that came up was that the fire services often uses what requirement codes are as a starting point to know what may or may not trigger compliance or non-compliance. They shouldn't have to carry around 2 separate books to know. If there are criteria, construction requirements that are being struck may not have been in effect at the time of construction. These will be moved to an appendix just to give a reference point so that

you can always flip back and look to see what those requirements were. This was for reference.

Shaun Pharr stated to preserve what was allowed before should still be allowed.

Andrew Milliken asked if we could leave the quantity thresholds with the caveat “unless otherwise permitted by the applicable code”, said we want to leave it here instead of placing in the back of the book.

Robby Dawson stated he agreed and added that the violation is less ambiguous.

Non-consensus

603.5 Heating Appliances

Glenn Dean stated it is not regulated by the building code. Maybe change to two sections permanently installed and portable appliances.

Robby Dawson stated the building code doesn't specifically address maintenance. Specific maintenance items, filters, etc.

Non-consensus

603.5.1 Guard against contact

Glenn Dean stated you are always going to need a guard.

Emory Rodgers stated he thinks this needs some clarification.

Andrew Milliken stated this is to prevent injury.

Robby Dawson stated it is ambiguous and there is a pecking order that makes it enforceable or not.

Emory Rodgers stated that Rick Witt and his group will work on this. Both are broken and need fixing.

Robby Dawson stated the FSB edit should move forward.

Non-consensus

603.6 Chimneys and appliances

Robby Dawson stated there is no construction in this. It shall be maintained so as not to create a fire hazard and it is an enforceable provision.

David Beahm asked if there was no clean out; would you require them to add a clean out?

Andrew Milliken stated it should be maintained so as not to create a fire hazard.

Bill Aceto stated to leave the original language in the FSB edit.

Glenn Dean stated if there is a build- up of creosote, I am not going to retrofit a cleanout. He would tell them to go to the building official and install a clean out to eliminate the fire hazard.

Andrew Milliken stated this is to eliminate fire hazards.

William Andrews said if we determine that the short chimney is causing the down draft in that occupied building, we will require them to maintain to keep the chimney safe. We may suggest adding onto the chimney.

Bill Aceto suggested they may suggest them going to a design professional to make it safe and hazard free.

Brian McGraw stated if you have an accumulation of creosote, you have a fire hazard. My direction to you is the maintenance of this chimney creates a fire hazard since you are not cleaning it out. His direction would be to clean it out and make it safe. We are not directing them how to accomplish this just that it has to be done. They have the choice.

Shaun Pharr stated this sounds like a backdoor avenue to retrofitting to me.

Andrew Milliken stated this is just a maintenance issue.

George Hollingsworth stated we are reading way too much into this. Any professional he knows would say, stop using your chimney, clean it out and don't use it until it is safe.

Rick Witt asked about this statement shall be maintained as constructed in accordance with the applicable building code so as not to create a fire hazard. Would anyone object to this?

Robby Dawson and Glenn Dean asked what words mandate construction?

Non consensus

603.6.1 Masonry chimneys

Strike re-lined in accordance with building code.

Rick Witt said it should be repaired not necessarily re-lined.

Consensus with the amendment to strike “or relined”

603.6.2 Metal chimneys

Andrew Milliken stated the FSB proposal says you have to pay attention to this; the proposed version has little purpose. Damaged and corroded is operational.

Skip Harper stated this is an existing state amendment in the USBC Chapter 1 that requires chimneys to be replaced if they're corroded.

Consensus for FSB edit

603.6.3 Decorative shrouds.

Consensus for FSB edit

603.7 Discontinuing operation of unsafe heating appliances

Robby Dawson stated he thought this was a state amendment. Vernon indicated that the Note is a state amendment.

Cindy Davis asked if this was administrative. Discussion on the ability to write enforcement notices.

Consensus for FSB edit

603.8.1 Residential Incinerators

Andrew Milliken asked about residential incinerators.

Shaun Pharr stated this is requiring a construction element...shall be of an approved type.

Glenn Dean asked where the residential part came in.

Cindy Davis asked if we are talking about a 55-gallon drum used as a burn barrel and if so, isn't it open burning at that point? Discussion on regulating chimineas. Some yes, some no.

Consensus for FSB edit add "not under building code" language

Section 603.8.6 and 604.1 both are just the applicable building language that must be determined.

Section 604 Emergency and Standby Power Systems

604.1.1 Stationary generators

Consensus FSB edit

604.1.2 Installation
Consensus FSB edit

604.1.3 Load transfer
Consensus FSB edit

604.1.4 Load duration
Consensus FSB edit

604.1.5 Uninterruptable power source
Consensus FSB edit

604.1.6 Interchangeability
Consensus FSB edit

604.1.7 Group 1-2 occupancies
Consensus FSB edit

604.2 through 604.2.6
Consensus FSB edit

604.2.7 Group 1-3 occupancies

Rick Witt asked if the first sentence is construction. If it was required, it has to be maintained.

Andrew Milliken suggested adding “door and emergency power.”
Consensus FSB edit

604.2.8 Hazardous materials
Consensus FSB edit

604.2.9 High rise buildings
Consensus FSB edit

604.2.10 Horizontal sliding doors
Consensus FSB edit

604.2.11 Hydrogen fuel gas rooms
Change to NFPA 70
Consensus FSB edit

604.2.14 Semiconductor fabrication facilities
Typo should be NFPA 70
Consensus FSB edit with fixed typo

604.2.15 Smoke control systems

NFPA 70
Consensus FSB edit

604.2.16 Underground buildings
Consensus FSB edit

604.3 Critical Circuits
Amendment to end the first sentence after “listed” and strike “in accordance with UL2196”
Consensus FSB edit

604.4 Maintenance
NFPA 70
Consensus for FSB edit

605.2 Illumination
Consensus for FSB edit

605.9 Temporary Wiring
Consensus for FSB edit

605.9.1 Attachment to structures
Consensus for FSB edit

605.11 through 605.11.1.3.3 Solar photovoltaic power systems
Consensus for FSB edit

605.11.2
Ground mounted photovoltaic arrays
Consensus FSB edit

606.6 Testing of equipment
Change to the Building Code
Consensus FSB edit

606.7 Emergency signs
Change to the Building Code
Consensus FSB edit

606.8 Refrigerant detector
Consensus FSB edit

Linda Hale stated they need to have language that lets them know to look a little closer.

Andrew Milliken stated this provides guidance.

606.9 Remote controls
Consensus FSB edit

606.9.1 Refrigeration system emergency shutoff
Consensus FSB edit

606.9.2 Ventilation system
Consensus FSB edit

606.10 Emergency pressure control system

Robby Dawson made a note to change the wording to say "...maintained as installed in accordance with the building code and this code".

Consensus FSB edit

606.12 Discharge and termination of pressure relief and purge
Consensus FSB edit

606.12.1 Standards
Consensus FSB edit

606.12.1.1 Ammonia refrigeration
Consensus FSB edit

606.12.2 Fusible plugs and rupture members
Consensus FSB edit

606.12.3 Flammable refrigerants

Brian McGraw asked in the normal course of operation of a refrigeration system is the refrigerant vented.

William Andrews asked if the system was installed in a 1940 building and the 1940 building code didn't stipulate where this flammable refrigerant is to be vented, what's the issue with the fire official requiring ductwork so it's vented to the outside?

David Beahm responded that now you have introduced construction.

Brian McGraw stated that without this, if the system is purged in order to perform maintenance, you could purge the system inside the building and create a hazard.

William Andrews stated when you have to replace the refrigerant, attach a tube to the outside of the building.

David Beahm said if a rubber tube or other device is used, the manufacturer will say it needs to be disposed in a well ventilated area.

Rick Witt stated it has to be discharged in accordance with the building code in which it was constructed.

George Hollingsworth believes this would be a maintenance issue and doesn't believe the building code would address it. Mike Williams stated by law, you should never be venting the refrigerant into the air.

Brian McGraw stated just for a point of reference in the mechanical code, 1101.9 Refrigerant Discharge shall be provided in accordance with the SFPC.

Cindy Davis stated if we have an old building with a refrigeration system that was not regulated by a building code when it was installed this would give you the method to do it. Skip Harper stated if you took out the underlined text and put it back after systems contained it wouldn't be a problem. It is telling you how to discharge the refrigerant.

Andrew Milliken stated he thinks we are getting hung up on very small things. If you have an existing system that is creating a hazard by discharging refrigerant into the building, shut the system down.

Non-consensus, the committee will work on this.