

MINUTES

Virginia Plumbing & Mechanical Inspectors Association

Board Meeting #3

Louisa County

February 24, 2017

President Grace called the meeting to order at 10:00 a.m.

In attendance:

Robert Adkins, James Anjam, Thomas Clark, Richard Grace, Skip Harper, Dustin McLehaney, Chett Renolds, Chris Martin, Jonathon Sargeant, Anthony McMahan, Richard Witt, Johnny Vannoy, Donald Mimms, Brian Helms, Vic Hines, Emory Rodgers, Bill Aldridge, Ellis McKinney, Ron Clements, Ron Craddock, David Beam

Meeting was started with the Pledge of Allegiance

Agenda Approval: Agenda approved, unchanged.

Determination of Quorum: Quorum was established.

Report of Officers:

Secretary: See attached BOD meeting minutes of Nov 4th, 2016, motion was approved to accept the report.

Treasurer: See attached report. Tom explain some of the items in the report. He said there was \$430 change made by mistake from saving but credited back to the saving from checking.

Executive Secretary: See attached, Chris explained some of the items in the report and read the new members that applied for active membership. Chris has been using the PayPal for most of the collection. He has over \$8000 in PayPal account and he is ready to transfer to the checking account. Chris also has the official VPMIA membership certificate that he has been sending to our new members. These certificates has the VPMIA's old logo. President ask Chris to use the old certificate until we run out of them.

Ex-Officio Committees:

ICC: No report, Emory reminded everyone to check ICC site for the 2021 ICC code changes. Rick is also encourage everyone to apply for any of the code change or code interposition committees.

ICC Region VII: Rick Witt reported there was a meeting on Feb 2nd. This year the chair changed to Delaware delagate. They had training on mid-rise wood construction. Rick was impress with this product. Emory also praised (American Wood Council) AWC for their work and was pleased with the result and changes in the code. Rick also encourage everyone to consider becoming IAS certified evaluator.

DHCD: Skip Harper reported:

- 1) The final phase of the 2015 code development cycle is about to start and workgroup meeting dates and times can be found on cdpVA
- 2) The SBCO is currently advertising for a Sr. Construction Inspector II and the application information can be found on the DHCD website as well as the WICED site.
- 3) Recently the technical review board ruled on swimming pool barrier setbacks and this information is being distributed across the State thru the VBCOA regions and should be available on the DHCD website soon. Feel free to contact me directly and I will share this ruling with you. Rick witt also talk about this is issue and explain the TRB ruling. Ruling requires the pool barrier to be at least 3 feet from property line. Ron Clemens is submitting a change to eliminate this requirement. There was discussion on the code change and the need to fix it.
- 4) Code academy is putting together a snap session for USBC chapter 1.

DPOR: Michael Radford could not attend, see attached report. Skip was ask if CEU for the trade is taken late can be used to renew their license. President Grace said once you pay the renewal fee DPOR will hold the license until they get the CEUs.

Standing Committees:

Advertising/Yearbook: Bill Aldridge said Jane been working on this year's VPMIA year book. Bill also said that we are hoping that Jane continues doing the year book and we can come up with some compensation for her work. Anthony said the extra yearbook that we print in the past years has been problematic. Other board members commented that cost of 500 year book is cheaper than 400. President Grace asked to use the book as advertisement tool. Dustin commented that we should take look at the cost of yearbook for next year to see if it is cost effective to continue making the yearbook. We had make little money in the past but Dustin forecast a big lost on this year's. Suggestion was made to have Jane take the ownership of the yearbook. There was also a discussion to have electronic copy of the year book and eliminate the paper copy. Dustin had received an estimate for her work that she did for others 10 years ago which was \$2000. Bill recommend to let Jane finish this year's yearbook and ask her for an invoice after she is done.

Dustin said the cost of the SOI is beginning to take toll on our total budget. We lost over 10K on last year SOI. This year's SOI loses is possibly higher. Rick recommends forming a committee to take a look at the SOI and yearbook cost. President Grace said although VPMIA is not for profit organization but we have to watch our money and maintain our financial stability, this discussion should continue when we have some of the financial data for this year. Anthony suggested to post different flyer online and ask the members to print their own flyers for their use such as building safety month flyer.

Auditing: Dustin McLehane has no report.

Bylaws: No report.

Awards: Johnny said he has two nomination for this year and asked if anyone wants to submit a new nomination please do it by end of the today.

Certification/Education: Skip reported:

2017 SOI

- 1) The agenda is on the website and all classes are ICC Preferred Provider approved. CE's can be applied to DHCD and ICC certifications as well as DPOR tradesmen's CE requirements for PMG.
- 2) The cutoff date for ICC workbooks is March 21
- 3) The ICC has sent me the pdf for the training and I will send a copy to each attendee.

2017 VCEC Conference

- 1) The intent is to contract the ICC and bring in the ANSI A117.1-09 so we will be ordering books for this event and I will share the presentation to each attendee. This will be the only class that will be offered once full day. Dustin explained that the schedule shows two separate half day class but this will be all day class. Skip compliment the VECE committee for doing a good job.

The Joyce Agency

- 1) Between 8 and 12 classes are now ICC Preferred Provider approved and before we cut this loose we need to decide on a plan of action such as sign in/out sheets, certificate handouts and most important, informing tradesmen on how to submit the completed certification. He also explain the DPOR process that is needed for the CEU for the DEPOR certification

IT/Website: Skip reported: Constant contact is up and running and we currently reach 210 members. I sent an excel sheet to each district director requesting they reach out to those left on the list that we currently do not reach and ask them to sign up if interested. We need to purchase a projector and carrying case for the VPMIA.

Nominating: The cutoff date for officer nominations is approaching and once that date gets here I will provide all members of the nominations committee with this information. I will say we have a very interested candidate for the treasurer position. Skip has one good candidate for the treasurer position, he will share with the board later who is the candidate. He also asked the current officers if they are available for the next year.

Legislative: See attached, Ron Clements wants to highlight some the bills:

HB 1587- This would prevent us from providing a builder or home owner a copy of their approved plan if it were lost. This appears to be putting us in the middle of the copy right battle. This was approved for security concern.

Class D contractor Bill – This is new class of contractor license. This was result of OSHA violation for small sub-contractor.

Another bill which did not pass was for any violation sited by the building department direct the building department to notify all the tenant. We agree to change the building code to address this. Another bill was to required private inspectors to notify if they see CSST piping. We argued that the bill should include only the building build before 2006 and remove any reference of building code.

Another bill that failed was mention such as Fire code location and requiring all building to upgrade their door hardware to current ADA standards.

PMG Code Change Committee: Tom reported: work group starting on April 18th for 2015 USBC. We have few items to discuss. He ask send in all the issues to him. Emory recommends to submit the request as soon as soon as possible. Final deadline to submitted comment is May 26th.

School of Instruction: Bob reported: Skip and I will be meeting With Pat Carter to finalize this year SOI.

Time and Place: See SOI

Ad Hoc Committees:

BCAAC:No report

Building Safety Month: Bill had some ideas on what to get for the \$500 budget provide to our directors. There were different ideas given by different board members, but Bill reminded that each director's budget is \$125. President Grace ask the directors to make their decision and stay within the budget.

Virginia Code Education Conference: Dustin reported: VCEC will be on July 24-27. Website is active and the site address is <http://www.thevcec.org/>. Agenda, registration and hotel information is all online. He reminded that VPMIA membership meeting is on the Sunday July 23rd before the VCEC conference. VCEC thanks the VPMIA to allow and pay \$50 for constant contact registration.

VBCOA Liaison: Skip no report.

Old Business:

2018 Richmond conference committee is requesting from VPMIA to contribute 20K - James present a request from the "2018 Richmond Conference Committee" for \$20,000. Emory explained that the preview committee is planning on recommending the venues and they need to make the down payment for the contract. This is the money we have had earmarked for this purpose. At this time we have earmarked total of 29K for 2018 Richmond. Bob asked if the detail of the money spend will be known. Emory explain that at this point the 2018 Richmond anticipates the money they need but they have not spend anything, they will share their budget information as soon as is available. **Motion was make and passed** to contribute \$20,000 to 2018 Richmond conference.

Invite Ms. Hudson/Lawrence Nuckols to SOI- Skip proposed Ms. Hudson which is Charles's wife and Lawrence which was the VPMIA president in the 80's to be invited to SOI. Board had no objection to invite both person.

New Business:

Training/Presentation Projector Purchase –Skip ask authorization to purchase a projector for VPMIA training. **Motion was make and passed** for Skip to purchase the projector.

Other Business:

None

Adjourn: 2:00 p.m.

VPMIA BOD Meeting Agenda
Louisa County Admin Office – February 24th, 2017
10:00AM-2:00PM

Pledge of Allegiance
Approval of Agenda.
Determination of Quorum.

Reports of Officers:

Secretary (James Anjam):
Treasurer (Tom Clark):
Executive Secretary (Chris Martin):

Ex-Officio Committee Reports

ICC:
ICC Region VII:
DHCD:
DPOR:

Standing Committees

Advertising/Yearbook (Bill Aldridge):
Auditing (Dustin McLehaney):
Bylaws (Dustin McLehaney):
Awards (Johnny Vannoy):
Certification/Education (Skip Harper):
Information Technology (Skip Harper):
Nominating (Skip Harper):
Legislative (Ron Clements):
Plumbing/Mechanical/Fuel Gas (Tom Clark):
Time and Place/School of Instruction (Bob Adkins):

Ad Hoc Committees

BCAAC (Randy Pearce):
Building Safety Month (Bill Aldridge):
VCEC (Dustin McLehaney):
VBCOA Liaison (Skip Harper):

Old Business:

2016 Virginia Governor’s Housing Conference, Nov. 16-18 in Roanoke Update
2018 Richmond Conference Update

New Business:

Invite Ms. Hudson/Lawrence Nuckols to SOI, SOI giveaways

Training/Presentation Projector Purchase

Other Business:

2018 Richmond conference committee is requesting from VPMIA to contribute 20K

Adjourn

VPMIA BOD Meeting

Name	e-mail	Phone
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From: Executives Secretary's Report

Date: 02/21/2017

Reference: February 24, 2017 Board of Directors Meeting

To: James Anjam, VPMIA Secretary

The Following is a report of Membership and 2016 Dues.

Active Membership List -----	316
Lifetime Members-----	22
Honorary Members-----	1
Retired Members-----	3
Retired Members Paid Dues-----	2
Members Not Paid 2017 Dues-----	66
Members Not Paid 2018 Dues-----	
Active Members Paid 2017 Dues-----	250
Associate Membership List -----	28
Lifetime Members-----	10 (1 Honorary)
Members Not Paid 2017 Dues-----	20
Members Not Paid 2018 Dues-----	
Associate Members Paid 2017 Dues-----	8

New Active Members:

Erich Roscher - P.E. Plan Reviewer / Inspector with Virginia Tech
Mark Graver - Code Enforcement Officer with the City of Waynesboro
Jeff Brooks - Plumbing Inspector with Chesterfield County
Richard Duffee - Plumbing Inspector with the City of Virginia Beach
Mark McCain – Construction Inspector with Prince William County
Alwyn Davis Jr. – Building Official with Essex County
Lee Craft – Engineer 3 with Fairfax County
Beau Bunting – Plumbing Inspector with Newport News
Michael Maenner – Director Building Codes Office with DHCD
Travis Luter - Senior Construction Inspector II with DHCD
Stephen Reynolds – Training & Development Specialist with DHCD
Kim Dellenger – Inspector / Frederick County
Ryan Celestino – Electrical Inspector / City of Newport News
David Jiang – Structural Engineer / Arlington County
Ebony Moton – Administrative Technician / Arlington County
Steve Francisco – Elevator Program Specialist / Arlington County

New Associate Members:

Andrew Zoby - A.T Zoby & Son Plumbing and Heating

PayPal account: \$ 8,120.79 from membership renewals (101 members paid)

SOI (28 members paid)

If anyone has any questions or need additional information, please feel free to contact me at work # 703-228-3854, cell # 571-220-9856, or email cmmartin@arlingtonva.us

Thank You

Christopher M. Martin

VPMIA Executive Secretary

DPOR
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February 24, 2017

VPMIA Board of Directors:

Proposed regulations aimed at improving application integrity have been withdrawn from further consideration. This action is a result of anticipated passage and enactment of SB1113 which provides for an alternative to a financial statement in the form of a surety bond for Class A and Class B contractors. Part of the proposed regulations contained requirements for more thorough review of financial statements. Amendments to the revisions will be proposed at a later date if warranted. The General Assembly has passed SB1193 which originally required a Class D registration for all contractors not licensed by the Board. This was to cover the gap between those performing work and receiving compensation up to the threshold of a Class C level thereby offering some protection against inadvertently contracting with an unlicensed firm. The bill was amended to exempt licensure for limited work not involving a regulated trade when working for a contractor holding the appropriate license. As an example, a licensed Home Improvement (HIC) contractor will be able to pay an unlicensed drywall installer up to \$2,500. In other legislative action, SB1374 which expands membership on the Board for Contractors to 16 by adding a professional engineer has cleared both Houses.

Regulatory action in progress includes:

REGULATION	STAGE	DESCRIPTION
Contractors	Proposed	Creation of a specialty license class for contractors performing remediation of former methamphetamine property. This prompted by legislation from the 2016 General Assembly.

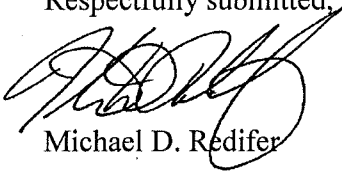
Progress toward implementation of a mandatory home inspector licensing program in accordance with HB741/SB453 continues. The Board for Asbestos, Lead and Home Inspectors had withdrawn previous regulatory changes prompted by 2015 legislation to require development and implementation of a training program for certain home inspectors. The 2016 legislation eliminates the voluntary certification requirements and creates a mandatory licensing requirement which will become effective July 1, 2017. Revised regulations are being brought forward consistent with the requirements of the statute. In order to perform home inspections for compensation, individuals must be licensed. Additionally, in order to perform home inspections for new dwellings, the licensee must have an additional endorsement which requires successful completion of a course of study developed in concert with DHCD. The final changes to the education provider regulations have been approved by the Board and the course approval portion

DPOR
2/2

will be effective April 17, 2017 in anticipation of having a number of providers reviewed and approved prior to the July 1, 2017 effective date of the mandatory licensing program.

Please contact me at any time with questions, comments or concerns regarding the Board for Contractors.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Michael D. Redifer", written in a cursive style.

Michael D. Redifer

VBCOA/VPMIA 2017 Session
LEGISLATIVE COMMITTEE REPORT in progress

(Revised 02-23-17)

Thru- HB 2477, HJ 826, HR 333, SB 1592, SJ 341, SR 120

The legislative committee met via conference January 23, 2017. On the call was Lewis Watts (R4), Emory Rodgers, Gregg Fields, David Beahm (R3), Mike Eutsey (R7), Richard Potts, Cindy Davis, Art Berkley (R8), Julie Walton (R6/chair), Ron Clements (R6/Chair), Sam Sapienza (R2) could not call in but submitted comments via email.

HB 1404 Status- Signed into Law by the Governor

Support-

Chief patron: Cole

Activation of fire alarms; penalty. Removes the provision that a building must be for public use in order for the Class 1 misdemeanor for maliciously activating a fire alarm to apply. The Class 1 misdemeanor will apply to all buildings

HB 1506 Status- Died in House Committee

No Position- May be of interest to those that enforce zoning ordinances.

Chief patron: Helsel

Vacant developed property; overgrown shrubs and trees. Authorizes localities to require owners of vacant developed property to cut overgrown shrubs and trees on the property. The bill also authorizes localities, after reasonable notice, to cut overgrown shrubs and trees on vacant developed property and charge the cost to the owner.

HB 1538 Status- Passed House and Senate

Support, amended to add “or any successor code” after BOCA. See line 942 in the bill. This is just a clean-up old language bill.

Chief patron: LeMunyon

Revision of Title 23; corrections. Corrects typographical errors and makes other technical amendments relating to the revision and recodification of Title 23 and declares such corrections and amendments to be effective retroactively to October 1, 2016. The bill is a recommendation of the Code Commission

HB 1539 Status- Passed House and Senate

No Position- This does relocate and consolidate the building plan related FOIA exemptions but does not alter the exemptions. This was recommended from the FOIA Council as mandated by HJR96.

Chief patron: LeMunyon

Virginia Freedom of Information Act (FOIA); public access to records of public bodies. Clarifies the definition of public record. The bill also (i) defines "personal contact information" that is excluded from FOIA's mandatory disclosure provisions in certain cases; (ii) clarifies that a requester has the right to inspect records or receive copies at his option; (iii) clarifies language in certain record exclusions under FOIA that certain records may be disclosed at the discretion of the custodian; (iv) consolidates the personnel record exclusion with the limitation on the application of that exclusion, and specifically clarifies that the name, in addition to position, job classification, and salary, of a public employee is public information as per opinions of the Attorney General and the FOIA Council; (v) eliminates, effective July 1, 2018, the exclusion for the Alcoholic Beverage Control Authority relating to operating and marketing strategies; (vi) eliminates the exclusion for correspondence of local officials as unnecessary; (vii) consolidates various public safety exclusions relating to building plans and drawings and critical infrastructure into a single exclusion; (viii) eliminates the exclusion for administrative investigations of the Department of Human Resource Management, as the exclusion is already covered under the personnel records exclusion; (ix) expands the exclusion for personal information provided to the Virginia College Savings Plan to cover qualified beneficiaries, designated survivors, and authorized individuals, which terms are defined in the bill; (x) consolidates the various record exclusions for the Department of Health Professions and the Department of Health into single exclusions for each Department; (xi) clarifies certain Department of Social Services exclusions; (xii) provides an exclusion for local finance boards that provide postemployment benefits other than pensions; and (xiii) eliminates the record exclusion for Virginia Wildlife Magazine. The bill also eliminates the correspondence exclusion for certain state and local officials. The bill contains numerous technical amendments. This bill is a recommendation of the Freedom of Information Advisory Council pursuant to the HJR 96 FOIA study (2014-2016).

HB 1563 Status- Died in House Committee
SB 877 Status- Died in Senate Committee

No Position- VBCOA was involved in development of VA Health Department regulations associated to this provision of law. It does not directly affect the building code.

Chief patron: Favola (877), Kory (1563)

Regulations governing hospitals; facilities performing abortions. Removes language classifying facilities that perform five or more first trimester abortions per month as hospitals for the purpose of complying with regulations establishing minimum standards for hospitals.

HB 1565 Status- Signed into Law by the Governor

No Position- This bill refers to the USBC but imposes no responsibility on the building official.

Chief patron: Webert

Local tax and regulatory incentives; green development zones. Authorizes localities to create green development zones that provide certain tax incentives and regulatory flexibility for up to 10 years to a business operating in an energy-efficient building or to a business that produces products used to reduce negative impact on the environment.

HB 1587 Status- Passed House and Senate

Oppose or no opposition if modified to allow owner and applicant to FOIA- This would prevent us from providing a builder or home owner a copy of their approved plan if it were lost. This appears to be putting us in the middle of the copy right battle.

Chief patron: Campbell

Uniform Statewide Building Code; security of certain records. Provides that information contained in engineering and construction drawings and plans for any single-family residential dwelling submitted for the purpose of complying with the Uniform Statewide Building Code (§ 36-97 et seq.) or the Statewide Fire Prevention Code (§ 27-94 et seq.) shall be confidential and shall not be subject to disclosure under the Virginia Freedom of Information Act (§ 2.2-3700 et seq.).

HB 1824 Status- Stricken from Docket

No Position

Chief patron: LaRock

Department of Professional and Occupational Regulation; deregulation of interior designers, landscape architects, and polygraph examiners. Eliminates the requirements for licensure of landscape architects and polygraph examiners and certification of interior designers. The bill contains numerous technical amendments to accomplish the deregulation of these professions.

HB 1860 Status- Died in House Committee

No Position- This bill prescribes the Water Control Board promulgate regulations for tank construction. USBC section 414.6.2 already provides that WCB regulations are incorporated into the USBC so coordination should be good.

Chief patron: Lopez

Aboveground storage tanks; fund; civil and criminal penalties. Directs the State Water Control Board (the Board) to regulate aboveground storage tanks that measure more than 5,000 gallons in capacity and are used to contain dangerous substances other than oil. The bill directs the Board to adopt regulations that establish construction standards, requirements for registration, certification, and inspection, and other requirements of tank owners and establish a schedule of fees. The bill authorizes the Board to require the owner to undertake corrective action, or to undertake its own corrective action, in the event of a release of a regulated substance. The bill requires tank owners to register their tanks, develop release response plans, upgrade certain older tanks, install containment infrastructure for certain tanks, notify certain parties in the event of a release of a regulated substance, and demonstrate their financial responsibility. The bill also creates the Aboveground Storage Tank Fund and provides for civil and criminal penalties for violations of requirements of the bill.

HB 1936 Status- Passed House and Senate

No Position-

Chief patron: Carr

Derelict and blighted buildings; land banks; receivership. Authorizes a locality to petition the circuit court to appoint a land bank entity to act as a receiver in certain limited circumstances to repair derelict and blighted buildings that contains residential dwelling units.

HB 1979 Status- Signed into Law by the Governor

SB 1193 Status- Signed into Law by the Governor

No Position-

Chief patron: Peace (1979), Stuart (1193)

Board for Contractors; Class D registration; responsibility for contracting with unlicensed or unregistered person. Defines a Class D contractor and requires a Class D contractor to be registered by the Board for Contractors. The bill also (i) provides that any contractor who directly employs, or otherwise contracts with, a person who is not licensed or registered by the Board for Contractors for work requiring a contractor's license or registration shall be solely responsible for any monetary penalty or other sanction resulting from employing or contracting with an unlicensed or unregistered person based upon such person's failure to obtain or maintain the required license or registration; (ii) requires the Board for Contractors to adopt regulations implementing these provisions on or before October 1, 2017; and (iii) provides that the initial regulations of the Board for Contractors are exempt from the provisions of the Administrative Process Act but that any subsequent modification to such regulations shall comply with the Administrative Process Act.

HB 2203 Status- Passed House and Senate
SB 1123 Status- Passed House and Senate

No opposition to the HB 2203 substitute as a title 1 request for DHCD to consider the issue or the SB1123 substitute that does not reference the USBC. We do not oppose the original bill but have been working to keep amendments from referencing the USBC. We have offered to facilitate interested parties with getting involved in the code update process. The substitute asks DHCD to consider amending the notice process to residents of mobile home parks regarding violations cited to the mobile home park owner.

Chief patron: HB2203 Torian, SB1123 McPike

Manufactured Home Lot Rental Act; notice to tenant of building code violation; renewal of lease. Requires a manufactured home park operator (the landlord) to provide written notification to each year-round resident whose rental agreement is subject to automatic renewal of any violations that have been cited by the locality involving the failure of the park operator to comply with the obligations imposed by the Manufactured Home Lot Rental Act (§ 55-248.41 et seq.) at least 60 days before the termination date of the rental agreement. If the violations cited by the locality have not been corrected within 30 days of the termination date, the automatic renewal provision of the Act shall not apply. Additionally, the bill provides that if the landlord fails to provide the required notice, the tenant shall have the right to terminate the rental agreement upon written notice to the landlord at least five business days prior to the effective date of termination. The bill states that if the tenant terminates the rental agreement, the landlord shall make disposition of the tenant's security deposit in accordance with law or the provisions of the rental agreement, whichever is applicable.

HB 2335 Status- Died in the full House

Support-

Chief patron: Watts

Board for Contractors; unlicensed activity; penalty. Provides that, in addition to existing penalties for unlicensed activity, any second or subsequent violation by any person who undertakes work without a valid Virginia contractor's license or certificate when a license or certificate is required shall constitute a Class 6 felony.

HB 2477 Status- Passed House and Senate

No Position-

Chief patron: Orrack

Department of Health to take steps to eliminate site evaluation and design services for onsite sewage systems and private wells. Directs the Department of Health to take certain steps to eliminate site evaluation and design services for onsite sewage systems and private wells provided by the Department.

HJ 705 Status- Died in House committee

No Position

Chief patron: Yancey

Encouraging localities to develop a more uniform and streamlined permitting process. Expresses the sense of the General Assembly that localities be encouraged to develop a more uniform and streamlined permitting process. Such an effort would benefit from having the Virginia Association of Counties and the Virginia Municipal League take the lead in developing a model application and permitting process while utilizing the best practices from localities throughout the Commonwealth.

SB 812 Status- Passed House and Senate

No Opposition with amendments we negotiated- *B. If a home inspector observes the presence of any shade of yellow corrugated stainless steel tubing during a home inspection in a home that was built prior to the adoption of the 2006 Virginia Construction Code, effective May 1, 2008, he shall include that observation in the report along with the following statement: "Manufacturers believe that this product is safer if properly bonded as required by the manufacturer's installation instructions. Proper bonding of the product should be determined by a contractor licensed to perform the work in the Commonwealth of Virginia."*

Chief patron: Marsden

Board for Asbestos, Lead, and Home Inspectors; home inspections; required statement related to the presence of yellow shaded corrugated stainless steel tubing. Provides that whenever a home inspector observes the presence of any shade of yellow shaded corrugated stainless steel tubing during a home inspection, his observation must be included in the inspection report along with the following statement: "Manufacturers believe that this product is safer if properly bonded and grounded as required by the manufacturer's installation instructions. Proper bonding and grounding of the product can only be determined by a licensed electrical contractor."

SB 919 Status- Passed House and Senate

Support- This originally provided an accelerated path for a locality to remove a dangerous building, under title 15 authority to remove buildings, with involvement from the building official. The bill was amended to remove the accelerated path and include the cost of removing buildings per the USBC to the same level as tax liens for collection.

Chief patron: Edwards

Removal of blight; building collapse; emergency. Authorizes localities to immediately remove, repair, or secure any building in the event that an emergency is deemed to exist, as certified in writing by the local building code official, without complying with prescribed notice requirements.

SB 920 Status- Signed into Law by the Governor

Support- This makes it clear that a lien for removed buildings is of as high a priority as tax liens.

Chief patron: Edwards

Lien priority. Inserts "real estate" in several places related to the priority of tax liens so that the operative language now reads "on a parity with liens for unpaid local real estate taxes.

SB 964 Status- Passed House and Senate

No Position- May be of interest to those that enforce zoning ordinances.

Chief patron: Hanger

Running bamboo; cutting by localities; ordinance prohibiting spread; designation of certain plants as noxious weeds. Authorizes any locality to adopt ordinances requiring proper upkeep of running bamboo and prohibiting the spread of running bamboo from a landowner's property, with violations punishable by a civil penalty of \$50. The bill includes running bamboo in the "other foreign growth" that current law allows localities to regulate and in some cases to cut. The bill also directs the Department of Conservation and Recreation (DCR) and the Department of Agriculture and Consumer Services (VDACS) to develop a model running bamboo ordinance and, with the Department of Forestry, to enter into a Memorandum of Understanding that clarifies the roles of the VDACS noxious weeds regulations and the work of the Virginia Invasive Species Working Group. Finally, the bill directs VDACS and DCR to examine the eligibility of certain plants for designation as noxious weeds

SB 980 Status- Died in Senate Committee

No Position- The perennial consumer fireworks bill.

Chief patron: Stanley

Statewide Fire Prevention Code; State Fire Marshal; consumer fireworks; penalties. Authorizes the use of consumer fireworks in the Commonwealth and distinguishes by definition consumer fireworks from display fireworks and permissible fireworks. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as the storage and transportation of 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (a) the sale of permissible or consumer fireworks; (b) any person using, igniting, or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property; or (c) such permissible or consumer fireworks when they are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissible fireworks or the use of such fireworks on private property. The bill also creates a 12 percent tax on the purchase of all consumer fireworks to be paid to the locality in which the tax was collected for the support of fire and rescue services. The bill has a delayed effective date of January 1, 2018. The bill contains technical amendments.

SB 1365 Status- Died in Senate Committee

Oppose- This bill attempts to move promulgation of the SFPC from the Board of Housing to the Fire Services Board.

Chief patron: Edwards

Statewide Fire Prevention Code; authority of the Virginia Fire Services Board; fees for school inspections. Transfers primary authority for the adoption of the Statewide Fire Prevention Code from the Board of Housing and

Community Development to the Virginia Fire Services Board. The bill also removes the prohibition against the State Fire Marshal's charging fees for school inspections. The bill contains technical amendments.

SB 1411 Status- Died in Senate Committee

No position-

Chief patron: Suetterlein

Statewide Fire Prevention Code; State Fire Marshal; consumer fireworks; penalties. Authorizes the use of consumer fireworks in the Commonwealth and distinguishes by definition consumer fireworks from display fireworks and permissible fireworks. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as the storage and transportation of 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (a) the sale of permissible or consumer fireworks; (b) any person using, igniting, or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property; or (c) such permissible or consumer fireworks when they are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissible fireworks or the use of such fireworks on private property. The bill has a delayed effective date of January 1, 2018. The bill contains technical amendments.

SB 1433 Status- Died in Senate Committee

Oppose to lines 124-131- Opposition is to the provisions of the bill that legislate building code matters. We are working with the lobbyist to resolve our issues.

Chief patron: Reeves

Regulation of the sale of consumer fireworks; Board of Housing and Community Development; criminal and civil penalties. Authorizes a person to sell consumer fireworks if he possesses a federal permit to sell fireworks, a permit issued by the Board of Housing and Community Development, and a local permit, if and as required by the locality where the sales facility is located. The measure directs the Board to establish requirements and establish a process for the issuance and renewal of permits for the sale of consumer fireworks. A permittee is required to carry, with respect to each permitted facility, public liability and product liability insurance with minimum limits of \$5 million to cover the losses, damages, or injuries that might ensue to persons or property as a result of the sales of consumer fireworks. The measure specifies certain requirements for facilities at which consumer fireworks are permitted to be sold, including prohibitions on an individual under 18 years of age (i) being admitted into any consumer fireworks retail sales facility unless accompanied by a parent, guardian, or responsible adult or (ii) working in any consumer fireworks retail sales facility. The measure prohibits a person from, among other acts, (a) selling consumer fireworks within the Commonwealth unless he is a permittee or an employee or agent of a permittee; (b) selling consumer fireworks from a place other than a permanent consumer fireworks retail sales facility; (c) selling consumer fireworks to an individual who appears to be under the influence of alcohol or drugs; (d) knowingly selling or otherwise furnishing consumer fireworks to an individual under 18 years of age; (e) purchasing, using, or possessing consumer fireworks if the individual is under 18 years of age; or (f) selling or storing fireworks that are not consumer fireworks as defined in a standard established by the American Pyrotechnics Association. Certain violations are punishable as a Class 1 misdemeanor. A person violating restrictions on the hours during which, or places where, consumer fireworks may be used is subject to a civil penalty not to exceed \$150 per violation.

SB 1497 Status- Passed House and Senate

No position-

Chief patron: Carrico

Manufactured home; definition. Excludes a park model recreation vehicle from the definition of "manufactured home" and defines a park model recreational vehicle as a vehicle that is (i) designed and marketed as temporary living quarters for recreational, camping, travel, or seasonal use; (ii) not permanently affixed to real property for use as a permanent dwelling; (iii) built on a single chassis mounted on wheels with a gross trailer area not exceeding 400 square feet in the setup mode; and (iv) certified by the manufacturer as complying with the American National Standards Institute (ANSI) A119.5 Park Model Recreational Vehicle Standard.

SB 1515 Status- Died in Senate committee, the committee will send a letter to the Disability Commission to study the issue.

No position- This is a bill from a VA Beach activist that has been trying to get VA Beach to require retrofit of accessible door hardware.

Chief patron: Wagner

Existing buildings; manual entry door hardware. Authorizes a locality to require property owners by ordinance to install manual entry door hardware in any building located in its jurisdiction where such fitting is affordable and readily achievable. The bill excludes historic buildings.

SB 1578 Status- Passed House and Senate

No position-

Chief patron: Norment

Short-term rental of property. Authorizes a locality to adopt an ordinance requiring the registration of persons offering property for short-term rental. The bill defines "short-term rental" as the provision of a room or space suitable for sleeping or lodging for less than 30 consecutive days. Persons and entities already licensed related to the rental or management of property by the Board of Health, the Real Estate Board, or a locality would not be required to register. The bill authorizes localities to impose fees and penalties on persons who violate the registry ordinance or who offer short-term rentals that have multiple violations of state or federal laws or ordinances, including those related to alcoholic beverage control. The bill amends the Alcoholic Beverage Control (ABC) Act to clarify that certain property rented on a short-term basis is considered a bed and breakfast establishment for purposes of ABC licensing and that the exception from ABC licensing for serving alcoholic beverages to guests in a residence does not apply if the guest is a short-term lessee of the residence.

SB 1579 Status- Incorporated into SB1578

No position-

Chief patron: Stanley

Short-term rental of property. Affirms the rights of localities to regulate the short-term rental of property, defined as the provision of space suitable for sleeping or lodging for fewer than 30 days. If a locality allows short-term rentals, the locality shall require that the person offering property for rental notify adjacent landowners in writing, obtain local permission to offer the property for rental, and carry a minimum of \$500,000 of commercial premises liability insurance. If a locality prohibits short-term rentals, any person or entity, including an online hosting platform, that advertises the availability of a short-term rental in the locality shall be subject to a \$10,000 fine per violation.