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HOUSE JOINT RESOLUTION NO. 253
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the House Committee on Rules
on February 11, 2000)

(Patrons Prior to Substitute—Delegates Diamonstein [HJR 224, 253, 254 and 255], Ingram [HJR 236], and Stump [HJR 256 and 257])

Requesting the Virginia Housing Study Commission, in cooperation with the Virginia Department of Housing and Community Development and certain other agencies, to study certain housing issues.

WHEREAS, in the Commonwealth, the need for additional safe, secure and affordable housing has been identified; and

WHEREAS, carbon monoxide poisoning causes early symptoms, such as headache or dizziness, which may be overlooked or attributed to other minor causes because carbon monoxide is a colorless, odorless gas;

WHEREAS, carbon monoxide poisoning, known as the "silent killer" may result in disorientation, loss of consciousness, brain damage, and death, and can and has resulted in the tragic and unnecessary deaths of Virginians; and

WHEREAS, the Virginia Housing Study Commission has made unanimous recommendations, pursuant to the 1999 study of protections from carbon monoxide poisoning and life safety matters relating to chimneys, fireplaces, vents, and solid fuel burning appliances and has noted the need to gather additional information and data necessary for additional conclusions to be drawn and possible recommendations to be crafted; and

WHEREAS, the one component of the Commission's unanimous recommendation for ongoing study involves the importance of public awareness of possible carbon monoxide hazards as they relate to chimneys, fireplaces, vents, and solid fuel burning appliances; and

WHEREAS, homeownership is widely regarded as a key to strong and vital communities and to generating personal wealth and ongoing self-sufficiency; and

WHEREAS, the Commonwealth has stated the goal to increase home ownership opportunities, particularly among minorities and new citizens of the United States; and

WHEREAS, while homeownership rates overall in Virginia have steadily increased in recent years, homeownership rates among minorities have not increased proportionately to overall homeownership rates, according to a recently released federal study; and

WHEREAS, national secondary mortgage market leaders, such as Fannie Mae, have recently reported that minorities and new citizens of the United States are key potential new homeowners; and

WHEREAS, condominium associations are one of the fastest growing segments of housing in the Commonwealth that provide homes to a substantial number of its citizens; and

WHEREAS, because of the age of some condominiums in Virginia, more and more condominium associations are facing major structural repairs to the common areas that they are responsible for maintaining; and

WHEREAS, many condominium developers, in creating the condominium and setting its original operational budgets, failed to adequately set aside or to require the set aside of funds for the maintenance of common areas; and

WHEREAS, condominium associations are reluctant to raise annual or special assessments for something that is not perceived by unit owners to be an immediate problem; and

WHEREAS, careful examination of the effects of inadequate reserve funds on condominium associations is essential to protect the safety of Virginia's condominium owners and occupants as well as ensuring the financial well-being of condominium associations; and

WHEREAS, Virginia has a wealth of historic properties, many of which are underutilized, in deteriorating condition and situated in communities in need of revitalization; and

WHEREAS, across the nation, strategies utilizing historic properties have been implemented to provide affordable housing and revitalized communities; and

WHEREAS, such strategies may serve the Commonwealth and its citizens by fostering the development of affordable housing while revitalizing rural, suburban, and urban communities and preserving Virginia's historic properties; and

WHEREAS, more than 41,000 Virginians, many of them elderly, chronically ill or disabled, are currently living in homes which lack indoor plumbing;

WHEREAS, in rural areas, particularly those rural areas which are isolated and difficult to reach, installation of indoor plumbing is a complex, highly regulated activity which presents difficult and challenging delivery and working conditions; and

WHEREAS, in rural areas, there are few central water and sewer systems and, particularly in times

60 of economic expansion, contractors qualified to install well and septic systems and indoor plumbing
61 facilities are in short supply; and

62 WHEREAS, many rural residents are not aware of indoor plumbing installation assistance programs
63 and may face other unique difficulties in complying with lending requirements, such as time-consuming
64 title searches because their properties are owned by numerous heirs and reluctance to ask for assistance;
65 and

66 WHEREAS, Virginia has an estimated 55,000 homeless persons; however, many homeless persons
67 living in rural areas are "invisible" because they obtain temporary shelter from family or friends and are
68 reluctant to ask for assistance; and

69 WHEREAS, changing economic conditions can have a profound effect on rural residents in areas
70 which have less diverse economic bases and few support services, such as mental and physical health
71 care, job training, child care, and transportation; and

72 WHEREAS, homes and buildings in the Commonwealth are designed, constructed, and inspected
73 under the purview of the Uniform Statewide Building Code (Sec. 33-39), and the Code was created to
74 ensure that buildings and homes are constructed in a uniform and safe manner to protect the health,
75 safety, and welfare of the occupants; and

76 WHEREAS, the term "building regulations" does not include zoning ordinances or other land use
77 controls that do not affect the manner or construction or material to be used in erection, alteration, or
78 repair of a building or structure; and

79 WHEREAS, localities in the Commonwealth are implementing zoning ordinances to require homes to
80 be constructed with a certain percentage of window coverage (fenestration requirements), raised concrete
81 foundations, mandatory brick, concrete, or stucco siding, and architectural facade requirements that go
82 above and beyond the Virginia Uniform Statewide Building Code (USBC); and

83 WHEREAS, several Attorney General opinions over the last fifteen years have stipulated that zoning
84 subdivision, and development related ordinances may not contain provisions which regulate how
85 buildings are constructed, and this practice is spreading throughout the Commonwealth; and

86 WHEREAS, it is in the interest of the Commonwealth and its citizens to prevent carbon monoxide
87 poisoning, to increase home ownership opportunities among minorities and new citizens of the United
88 States, to promote affordable housing and community revitalization while using historic preservation
89 strategies, to assist rural Virginians in obtaining indoor plumbing, and to assist those rural Virginians
90 who are now homeless to become self-sufficient and to enjoy the blessings of prosperity experienced by
91 so many of their fellow Virginians; now, therefore, be it

92 RESOLVED by the House of Delegates, the Senate concurring, That the Virginia Housing Study
93 Commission, in cooperation with the Virginia Department of Housing and Community Development and
94 certain other agencies, be requested to study certain housing issues.

95 The Virginia Housing Study Commission, in cooperation with the Virginia Department of Housing
96 and Community Development and certain other agencies shall conduct the following: (i) the continuing
97 study, as provided in HJR 253 as introduced, of whether changes relating to protection from carbon
98 monoxide poisoning and life safety matters relating to chimneys, fireplaces, vents, and solid fuel burning
99 appliances should be made to the Uniform Statewide Building Code to reflect more closely current
100 provisions of the National Fire Protection Association Code; (ii) the study, with assistance from the
101 Virginia Housing Development Authority, of strategies for increasing home ownership opportunities
102 among minorities and new citizens of the United States, as provided in HJR 254; (iii) the study of
103 provisions of the Condominium Act relating to the adequacy of reserve funds established for the
104 maintenance of common areas, pursuant to HJR 224; (iv) the study of affordable housing and
105 community revitalization opportunities in the Commonwealth, utilizing historic preservation strategies, as
106 provided in HJR 255; (v) the study of the need for and recommendations to foster the improvement of
107 organizational infrastructure, outreach efforts, technical assistance, and construction services for indoor
108 plumbing installation in the homes of rural Virginians living without indoor plumbing, pursuant to HJR
109 256; (vi) the study, with assistance from the Virginia Interagency Action Council for the Homeless, of
110 the number and needs of homeless persons in rural areas of the Commonwealth and recommendations to
111 foster the self-sufficiency and the participation in the current economic expansion, pursuant to HJR 257;
112 and (vii) the study of the Uniform Statewide Building Code (USBC) for the purpose of clarifying
113 existing law and examining the provisions of the USBC affecting building standards and design in order
114 to determine what revisions to the Uniform Statewide Building Code may be necessary, pursuant to HJR
115 236.

116 All agencies of the Commonwealth shall provide assistance to the Commission for this study, upon
117 request.

118 The Virginia Housing Study Commission, in cooperation with the Virginia Department of Housing
119 and Community Development and certain other agencies, shall complete its work in time to submit its
120 findings and recommendations to the Governor and the 2001 Session of the General Assembly as
121 provided in the procedures of the Division of Legislative Automated Systems for the processing of

122 legislative documents.

H O U S E S U B S T I T U T E

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