

VIRGINIA ACTS OF ASSEMBLY -- 2003 SESSION

CHAPTER 901

An Act to amend and reenact § 36-99 of the Code of Virginia, relating to the Uniform Statewide Building Code; basis for regulation.

[H 2123]

Approved March 22, 2003

Be it enacted by the General Assembly of Virginia:

1. That § 36-99 of the Code of Virginia is amended and reenacted as follows:

§ 36-99. Provisions of Code.

A. The Building Code shall prescribe building regulations to be complied with in the construction and maintenance of buildings and structures, and the equipment therein as defined in § 36-97, and shall prescribe regulations to ensure that such regulations are properly maintained, and shall also prescribe procedures for the administration and enforcement of such regulations. The provisions thereof shall be such as to protect the health, safety and welfare of the residents of the Commonwealth, provided that buildings and structures should be permitted to be constructed *and maintained* at the least possible cost consistent with recognized standards of health, safety, energy conservation and water conservation ~~and, including provisions necessary to prevent overcrowding, rodent or insect infestation, and garbage accumulation;~~ and barrier-free provisions for the physically handicapped and aged. Such regulations shall be reasonable and appropriate to the objectives of this chapter.

B. In formulating the Code provisions, the Board shall have due regard for generally accepted standards as recommended by nationally recognized organizations, including, but not limited to, the standards of the International Code Council and the National Fire Protection Association. Notwithstanding the provisions of this section, farm buildings and structures shall be exempt from the provisions of the Building Code, except for a building or a portion of a building located on a farm that is operated as a restaurant as defined in § 35.1-1 and licensed as such by the Board of Health pursuant to Chapter 2 (§ 35.1-11 et seq.) of Title 35.1. However, farm buildings and structures lying within a flood plain or in a mudslide-prone area shall be subject to flood-proofing regulations or mudslide regulations, as applicable.

C. Where practical, the Code provisions shall be stated in terms of required level of performance, so as to facilitate the prompt acceptance of new building materials and methods. When generally recognized standards of performance are not available, such provisions shall provide for acceptance of materials and methods whose performance has been found by the Board, on the basis of reliable test and evaluation data, presented by the proponent, to be substantially equal in safety to those specified.