

LD8541759

## SENATE BILL NO. 900

Offered January 23, 1995

A BILL to amend and reenact §§ 36-99 and 63.1-174.1 of the Code of Virginia, relating to the Board of Housing and Community Development; compliance with the Building Code.

Patrons—Woods; Delegates: DeBoer and Mims

Referred to the Committee on General Laws

**Be it enacted by the General Assembly of Virginia:**

**1. That §§ 36-99 and 63.1-174.1 of the Code of Virginia are amended and reenacted as follows:**

§ 36-99. Provisions of Code.

The Building Code shall prescribe building regulations to be complied with in the construction of buildings and structures, and the equipment therein as defined in § 36-97, and shall prescribe regulations to insure 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 this Commonwealth, provided that buildings and structures should be permitted to be constructed at the least possible cost consistent with recognized standards of health, safety, energy conservation and water conservation and barrier-free provisions for the physically handicapped and aged. Such regulations shall be reasonable and appropriate to the objectives of this chapter.

In formulating the Code provisions, the Board shall (i) *have due regard for the rights of disabled persons to live in housing of their choice, and shall not limit or restrict such rights without an individualized showing that such limitation or restriction is necessary in a particular case, taking into account the needs and circumstances of the person or persons who are subject to the regulation or regulations;* (ii) *authorize reasonable modifications to Code provisions to permit disabled persons to live in the housing of their choice;* and (iii) have due regard for generally accepted standards as recommended by nationally recognized organizations, including, but not limited to, the standards of the Southern Building Code Congress, the Building Officials Conference of America and the National Fire Protection Association.

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.

§ 63.1-174.1. Compliance with Uniform Statewide Building Code.

Buildings licensed for independently mobile residents, semimobile residents or nonambulatory residents shall be classified by and meet the specifications for the proper Use Group as required by meet the requirements of the Virginia Uniform Statewide Building Code.

INTRODUCED

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