

Form #3

OFFICE WEST VIRGINIA
SECRETARY OF STATE

Authorized Signature

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

STATE BUILDING CODE

Rule Title: _____

Type of Rule: ☒ Legislative ☐ Interpretive ☐ Procedural

Agency: West Virginia State Fire Commission

Address: 1207 Quarrier Street, 2nd Floor
Charleston, WV 25301

Phone Number: 304-558-2191 Email: anthony.w.carrico@wv.gov

Fiscal Note SummarySummarize in a clear and concise manner what impact this measure
will have on costs and revenues of state government.

It is anticipated that the proposed changes will have no impact on costs and revenues of state government.

Fiscal Note DetailShow over-all effect in Item 1 and 2 and, in Item 3, give an explanation of
Breakdown by fiscal year, including long-range effect.

FISCAL YEAR			
Effect of Proposal	Current Increase/Decrease (use "--")	Next Increase/Decrease (use "--")	Fiscal Year (Upon Full Implementation)
1. Estimated Total Cost	0.00	0.00	0.00
Personal Services	0.00	0.00	0.00
Current Expenses	0.00	0.00	0.00
Repairs & Alterations	0.00	0.00	0.00
Assets	0.00	0.00	0.00
Other	0.00	0.00	0.00
2. Estimated Total Revenues	0.00	0.00	0.00

State Building Code, 87-04

Rule Title: _____

Rule Title: _____

3. Explanation of above estimates (including long-range effect):

Please include any increase or decrease in fees in your estimated total revenues.

--	--

MEMORANDUM

Please identify any areas of vagueness, technical defects, reasons the proposed rule **would not** have a fiscal impact, and/or any special issues **not** captured elsewhere on this form.

The current building code is being updated. There would be no change at all in the way the code is enforced.

Date: 07/16/2012

Signature of Agency Head or Authorized Representative

Robert S Sullivan

Proposed changes to Legislative Rule 87-04-1 et seq.

The purpose of this strike and insert is to update the building code to new editions of the NFPA.

QUESTIONNAIRE

(Please include a copy of this form with each filing of your rule: Notice of Public Hearing or Comment Period; Proposed Rule, and if needed, Emergency and Modified Rule.)

DATE: July 16, 2012

TO: LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

FROM: (Agency Name, Address & Phone No.) State Fire Commission

1207 Quarrier Street, 2nd Floor

Charleston, WV 25301 (304) 558-2191

LEGISLATIVE RULE TITLE: "State Building Code" - 87-4

1. Authorizing statute(s) citation 29-3-5b

2. a. Date filed in State Register with Notice of Hearing or Public Comment Period:

April 2, 2012

b. What other notice, including advertising, did you give of the hearing?
Website, emails

c. Date of Public Hearing(s) *or* Public Comment Period ended:

May 4, 2012

d. Attach list of persons who appeared at hearing, comments received, amendments, reasons for amendments.

Attached Comments No comments received

- e. Date you filed in State Register the agency approved proposed Legislative Rule following public hearing: (be exact)

July 16, 2012

- f. **Name, title, address and phone/fax/e-mail numbers** of agency person(s) to receive all *written correspondence* regarding this rule: (Please type)

Ted Shriver, Commissioner
State Fire Commission
1207 Quarrier Street, 2nd Floor
Charleston, WV 25301
(304) 558-2191 (304) 558-2537 - Fax
tshriver@wsgarch.com

- g. **IF DIFFERENT FROM ITEM 'f',** please give **Name, title, address and phone number(s)** of agency person(s) who wrote and/or has responsibility for the contents of this rule: (Please type)

Anthony Carrico, Chief Deputy Fire Marshal
State Fire Marshal's Office
1207 Quarrier Street, 2nd Floor
Charleston, WV 25301
(304) 558-2191 (304) 558-2537 - Fax
anthony.w.carrico@wv.gov

3. If the statute under which you promulgated the submitted rules requires certain findings and determinations to be made as a condition precedent to their promulgation:

- a. Give the date upon which you filed in the State Register a notice of the time and place of a hearing for the taking of evidence and a general description of the issues to be decided.

N/A

b. Date of hearing or comment period:

April 2, 2012 through May 4, 2012

c. On what date did you file in the State Register the findings and determinations required together with the reasons therefor?

N/A

d. Attach findings and determinations and reasons:

Attached Public Comments received and agency responses attached

FILED

2012 JUL 18 AM 1:14

TITLE 87
LEGISLATIVE RULE
STATE FIRE COMMISSION

SERIES 4
STATE BUILDING CODE

OFFICE WEST VIRGINIA
SECRETARY OF STATE

§87-4-1. General.

1.1. Scope. -- This rule establishes the standards considered necessary by the State Fire Commission for the safeguarding of life and property and to ensure compliance with the minimum standards of safe construction of all structures erected or renovated throughout this state.

1.2. Authority. -- W. Va. Code §29-3-5b.

1.3. Filing Date. -- ~~April 26, 2010.~~

1.4. Effective Date. -- ~~July 1, 2010.~~

1.5. Incorporation of other Documents. -- This rule does not include a reprinting of all the requirements imposed by statute or by the incorporation of various nationally recognized standards and codes cited in Subsection 4.1 of this rule. For ascertaining these additional standards and requirements, it is necessary to make reference to the other documents.

§87-4-2. Definitions.

2.1. "ANSI" means American National Standards Institute, 25 West 43rd St., Fourth Floor, New York, NY 10036.

2.2. "ASTM" means American Society of Testing and Materials.

2.3. "Fire Commission" means the thirteen (13) appointed members of the West Virginia State Fire Commission.

2.4. "Fire Marshal" means the West Virginia State Fire Marshal and/or his or her designated representatives.

2.5. "Local jurisdiction" means municipal or county level government.

2.6. "ICC" or "International" means International Code Council, ~~5203 Leesburg Pike, Suite 600, Falls Church, Virginia 22041-3401.~~ 500 New Jersey Avenue, NW, 6th Floor, Washington, DC 20001.

2.7. "NFPA" means National Fire Protection Association, 1 Batterymarch Park, P. O. Box 9101, Quincy, MA 02269-9101.

2.8. "State Building Code" means the entire contents of this rule and the referenced national standards and codes.

2.9. "State Fire Code" means the entire contents of State Fire Commission, State Fire Code, 87CSR1, and the referenced standards and codes.

§87-4-3. Conflicts.

3.1. Whenever there is a conflict between the State Fire Code and the State Building Code, the State Fire Code takes precedence.

3.2. Whenever there is a conflict between the International Plumbing Code requirements of the State Building Code and the rules of the West Virginia State Department of Health and Human Resources, the rules of the Department of Health and Human Resources take precedence.

3.3. Whenever there is a conflict between the State Building Code and statutory laws of the State of West Virginia, the laws of the State of West Virginia take precedence.

§87-4-4. National Standards and Codes.

4.1. The standards and requirements as set out and as published by the International Code Council, and American National Standards Institute, and the National Fire Protection Association as listed in this subsection, have the same force and effect as if set out verbatim in this rule.

4.1.a. The ~~2009~~ 2012 edition, International Building Code, ~~First Printing~~, with the following exceptions:

4.1.a.1. Provided; that the section entitled "Fire Prevention" and identified as Section ~~101.4.5~~ is deleted and not considered to be a part of this rule.

4.1.a.2. Further provided that the entire ~~section subsection~~ entitled "~~Board of Appeals~~" "Qualifications" and identified as Section ~~113.3~~ is deleted and replaced with the following:

Section ~~113.3~~. Board of Appeals

113.3 Qualifications. The board of appeals shall consist of five members, with up to three alternates, who are qualified by experience and training to pass on matters pertaining to building construction and are not employees of the jurisdiction. They may include, but are not limited to, a WV Registered Professional Architect or Engineer, or a WV Licensed General Building, Residential, Electrical, Piping, Plumbing, Mechanical or Fire Protection Contractor, with at least 10 years experience, five of which shall be in responsible charge of work.

4.1.b. The ~~2009~~ 2012 edition of the International Plumbing Code, ~~First Printing~~.

4.1.c. The ~~2009~~ 2012 edition of the International Mechanical Code, ~~First Printing~~.

4.1.d. The ~~2009~~ 2012 edition of the International Fuel Gas Code, ~~First Printing~~, with the following exception:

Section 404.10 Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.

4.1.e. The ~~2009~~ 2012 edition of the International Property Maintenance Code, ~~First Printing~~. This Code may be rejected at the option of the local jurisdiction.

4.1.e.1. This code may be adopted by the local jurisdiction without requiring adoption of the

other national codes and standards listed in this section.

4.1.f. The ~~2003~~ 2009 edition of the International Energy Conservation Code, ~~Fifth Printing~~, for residential buildings.

4.1.g The ANSI/ASHRAE/IESNA Standard 90.1-2007 Edition for commercial buildings.

4.1.g.h. The 2009 edition of the International Residential Code for One and Two Family Dwellings, ~~First Printing~~, with the following exceptions:

Section ~~G2415.10(404.10)~~ G2415.12 (404.12) Minimum Burial Depth. Underground piping systems shall be installed a minimum depth of 12 inches (305 mm) below grade, except as provided for in section G2415.10.1. If the minimum depth cannot be maintained, the piping system shall be installed in conduit or shielded in an approved manner.

~~Section R303.6.1 Light Activation -- The control for activation of the required interior stairway lighting shall be accessible at the top and bottom of each stairway without traversing any steps. The illumination of exterior stairways shall be controlled from inside the dwelling unit. Exceptions: 1. Lights that are continuously illuminated or automatically controlled. 2. Interior stairways consisting of less than three steps.~~

~~Section R 311.3.1 Landings at doors -- Where a stairway of two or fewer risers is located on the exterior side of a door, other than the required exit door, a landing is not required for the exterior side of the door.~~

~~Section R311.7.4 Stair Treads and Risers~~

~~311.7.4.1 Riser Heights -- The maximum riser height shall be eight and one-quarter (8 ¼) inches.~~

~~311.7.4.2 Tread Depth -- The minimum tread depth shall be nine (9) inches.~~

~~Section R313.2: Automatic Fire Sprinkler Systems, in its entirety, is specifically excluded from the scope of this rule series.~~

~~Section R403.1.7.1: Building Clearances From Ascending Slopes is not applicable to this rule.~~

~~Section R403.1.7.2: Footings Setbacks From Descending Slope Surfaces is not applicable to this rule.~~

~~4.1.h. Chapter 11 of the 2009 edition of the International Residential Code for One and Two Family Dwellings, Seventh Printing, entitled "Energy Efficiency", is deleted and not considered to be a part of this rule.~~

4.1.i. The ~~2003~~ 2009 ICC/ANSI A117.1 American National Standards for Accessibility & Usable Buildings & Facilities, ~~First Printing~~.

4.1.j. The ~~2009~~ 2012 International Existing Building Code, ~~First Printing~~, with the following exception:

4.1.j.1. Omit reference to International Fire Code and substitute NFPA Life Safety Code 2009

~~2012~~ Edition:

4.1.k. The ~~2008~~ 2011 edition of the National Electric Code, NFPA 70.

4.1.l. The 2012 edition of the Life Safety Code, NFPA 101, chapter 24.

§87-4-5. Exceptions.

The following structures are not subject to inspection by local jurisdictions:

Group U utility structures and storage sheds comprising an area not more than ~~150~~ 200 sq. ft. which have no plumbing or electrical connections and are used only for residential storage purposes. (Examples include sheds that are for the residential storage of lawnmowers, tools, bicycles or furniture.) Not included are those utility structures and storage sheds which have plumbing or electrical connections are a non-residential use or for the storage of explosives or other hazardous or explosive materials.

~~§87-4-6. Availability of Code Books:~~

~~— A copy of the codes listed in Subsection 4.1 of this rule have been filed with the Secretary of State. These code books, collectively or separately, may be obtained by contacting the International Code Council, 4051 West Flossmoor Road, Country Club Hills, Illinois 60478-5795, 1-888-422-7233 or the ICC Store, 1-800-786-4452.~~

§87-4-76. Adoption by Local Jurisdiction.

7 6.1. Each local jurisdiction adopting the State Building Code shall notify the State Fire Commission in writing. The local jurisdiction shall send a copy of the ordinance or order to the State Fire Marshal, West Virginia State Fire Commission, 1207 Quarrier Street, 2nd floor, Charleston, West Virginia 25301, within thirty (30) days of adoption.

7 6.2. Each local jurisdiction which adopts the State Building Code is responsible for the enforcement of the building code as provided in West Virginia Code 7-1-3n and 8-12-13.

7 6.3. Throughout the national codes, adopted in subsection 4.1 of this rule, there are discretionary provisions or amendments which require further action by the adopting local jurisdiction in order to adapt these codes to various local conditions. The appendices are not a part of the code and must also be adopted by the local jurisdiction to be enforceable. It is therefore the intent of this rule to further authorize each local jurisdiction to further complete, by order or ordinance, those respective areas which are indicated to be completed by the adopting "jurisdiction" and any of the appendices the local jurisdiction wishes to adopt.

7 6.4. Within the penalty sections of each of the national codes, adopted in Section 4.1 of this rule, there is a penalty for imprisonment. The provision of imprisonment for any violation of this rule is optional with each adopting local jurisdiction.

7 6.5. Each of the national codes adopted in subsection 4.1 of this rule provides for a separate appeals board. However, the intent and requirements for an appeal board may be met with the creation by the local jurisdiction of a single appeals board for the entire "State Building Code."

§87-4-8 7. Existing Building Codes.

8 7.1. ~~All building codes which have been adopted by local jurisdictions prior to the passage of West~~

~~Virginia Code 29-3-5b, in 1988, are null and void.~~ All building codes previously adopted by local jurisdictions are null and void.



NORTH CENTRAL WEST VIRGINIA HOME BUILDERS ASSOCIATION

4 Riddle Court • Morgantown, WV 26505 • Phone: (304) 599-0880 • FAX: (304) 599-0847

May 4, 2012

RECEIVED

MAY 07 2012

STATE FIRE MARSHAL
Administration

West Virginia State Fire Commission
Attn.: Anthony Carrico
1207 Quarrier Street, 2nd Floor
Charleston, WV 25301

Dear Mr. Carrico,

Please accept this letter as our comments in opposition to the proposed rule filed on April 2, 2012, concerning changes to the State Building Code. Some of the many reasons for our opposition are as follows:

-We are on record as opposing the adoption of the 2009 IECC during the last update to the State Building Codes and most, if not all, of the reasons cited then are still valid today. These include, but are not limited to, requiring testing to the building envelope and duct work that very few people/companies in the State can provide. The cost of these tests added to the additional efficiency requirements escalate the cost of construction for new homes without adding to the selling price, making entry level home construction an impossibility in the areas that adopt the code.

-The latest changes to the Code (2003 IECC and 2009 IRC for residential) were far reaching from the previous codes. We are presently still attempting to educate both builders (members and nonmembers alike) and code officials on these changes. Now you propose to change to an even more stringent energy code and a building code very few have seen, and in the case of the compliance officers, have to be re-certified. Although your proposed rule filing claims no fiscal effect, there is at the very least a cost to acquire and educate to these new codes at the Fire Marshal's office and ALL of the jurisdictions that have adopted the Building Code. (and Builders, Architects, Plumbers, Electricians.....)

-The implementation of this proposed rule will require that all one and two family dwellings, townhouses, condos, and apartments be sprinkled through the 2012 IRC, but also the 2012 Life Safety Code. This change will result in an even greater exodus of construction to OUTSIDE the areas of adoption. The increased costs to install, maintain and insure these systems will again greatly reduce the affordability of these new homes. Even more training for code officials (and builders and installers) will be required. There are still regions of the State that have adopted the Building Code but still do not have the infrastructure to support this without storage tanks and pumps.

-The differences in the 2012 IRC from the 2009 IRC recently adopted are difficult for us to

Affiliated With



analyze, since we have been unable to acquire a copy of this new set of codes. The proposed rule even infers this difficulty by removing the section stating that they have been placed on file with the Secretary of State.

-Although many of the exceptions that have been listed for many years have been addressed in the newer codes, the stair geometry exception being removed will cause great difficulty in most modular/manufactured housing.

We believe that these issues, which are not exhaustive, are sufficient to have you rescind this proposed rule change at this time and we formally request that you do so.

Sincerely,

A handwritten signature in black ink, appearing to read "Steve Spiker", written in a cursive style.

Steve Spiker
President



Pella Window & Door

2715 Murdoch Ave. C-3
Parkersburg, WV 26101
304-485-2855 / 800-377-8884
304-485-2856 fax
Brenda Slavin, Sales Specialist
304-483-1971 cell
bslavin@pella386.com

May 4, 2012

Tony Carrico
Office of the State Fire Marshal
1207 Quarrier St., 2nd Floor
Charleston, WV 25301

Re: State Building Code

Dear Mr. Carrico,

Less than 2 years ago some rather extensive changes were made to the state building codes with the new adoptions to the statewide building codes. Builders and code officials alike are still working to learn and implement these changes. Since the statewide building code enabling legislation was adopted, the historical pattern has been to give a 3 year interval before new adoptions are considered to give time to learn the nature and effectiveness on new amendments.

Our industry is faced with many challenges right now, especially the economy, and we do not see the logic in the new code changes. I understand that it is even very difficult to obtain copies for clarification. How can we then review or gauge the effects? We see this as both impractical and cost prohibitive. The demand of sprinkler systems in ALL new one and two family dwellings, even in rural areas, is incomprehensible. Most rural areas are lacking sufficient public water systems to support this! The use of sprinkler systems in one and two family dwellings should be an optional choice of the owner, not mandated as you are planning. The added cost would put many builders in an even tighter financial bind, as this would not add to the appraised value of the dwelling. And many new potential customers will not be able to qualify to the financing with this high additional cost.

Professional builders should have the knowledge to provide the OPTION of the sprinkler system to the new dwelling, as they have been doing with new energy efficiency options. But the decision should be optional to the end user if they can afford it. The goal of a professional builder is to provide safe and affordable housing.

Please reconsider the rules and regulations that you have proposed.

Respectfully,

A handwritten signature in cursive script that reads "Brenda Slavin".

Brenda Slavin

Carrico, Tony

From: aaron dickerson <aldenterprisesllc@gmail.com>
Sent: Friday, May 04, 2012 10:26 AM
To: Carrico, Tony
Subject: Proposed Rule Change

Dear Mr. Carrico

Please accept this e-mail as my opposition to the proposed rule filed on April 2, 2012, concerning changes to the State Building Code. Some of the many reasons for my opposition are as follows:

- The latest changes to the Code (2003 IECC and 2009 IRC-residential) were far reaching when compared to the previous codes. Builders and code officials alike are still getting educated on these changes and now you propose the change to a more stringent building and energy code that few have seen and even less are equipped to adapt to. The cost to acquire and educate new compliance officers is going to be a large fiscal effect, not to mention the cost to all trades.
- The 2009 IECC requires testing to the building envelope and duct work that very few people/companies in the State can provide. The cost of these tests added to the additional efficiency requirements escalate the cost of construction for new homes without adding to the selling price, making entry level home construction an impossibility in the areas that adopt the code.
- The adoption of the mandated automatic sprinklers is going to increase the already large amount of avoidance to build inside the areas of adoption. The increased costs to install and maintain these systems will again reduce the affordability of these homes. Regions of the state still do not have the infrastructure to support the changes.
- The differences in the 2012 IRC from the 2009 IRC recently adopted would be very difficult for me to describe, since I have been unable to acquire a copy of this new code. Coupled with the unbelievably short timeframe we have been allowed to respond to this proposed rule (30 days if you knew on April 2nd that the Rule was filed, and in writing only when hearings were always held in the past) I implore you to reconsider this proposed rule change at this time.

Aaron Dickerson, Owner
ALD Enterprises LLC
Morgantown, WV 26508

Carrico, Tony

From: Travis Carpenter <TravisC@criteselectric.com>
Sent: Friday, May 04, 2012 9:45 AM
To: Carrico, Tony
Cc: Travis Carpenter
Subject: NEW 2012 NEW CODE AND ALL THATS TIED TO IT.

I AM 1000% AGAINST 2012 NEW CODE AND ALL THAT'S TIED TO IT.

Carrico, Tony

From: Rusty Crites <rustycr1@aol.com>
Sent: Thursday, May 03, 2012 11:38 PM
To: Carrico, Tony
Subject: 2012 code changes

Please do not let the code changes go thru , the 2012 code changes will be too hard on the everyday person trying to get a loan thru the Banks
The codes are out running the inspectors , and no one will be around to see if any of the work is being done right. I live in Upshur County and we have more
People working without WV contractors Licenses , than with them , and the state has not been able to stop this, after all the years that I have paid to be contractor
The sprinklers , is an added cost that will drive up cost, at install and their after, the trouble with fires and loss of life is not is
Not in the new buildings , your facts show this , just look at your own spread sheets
A smoke and carbon detector will save more lives than any sprinkler system ever installed in a house.
If the laws on the books right now was enforced it would end a lot of the trouble that is out there right now , we need to have more inspectors to clean out the pour
Work being done right now with the laws we have right now.
if this goes thru WV will be come a state of mobile , you can not have WV contractors build to one standards and just let mobile homes to be pulled in and set up without any of the same laws applying
Thanks Russell Crites

Carrico, Tony

From: satows@suddenlinkmail.com
Sent: Thursday, May 03, 2012 10:59 PM
To: Carrico, Tony
Subject: State Building Code

My Name Is Ed Satow Owner of Satow's Residential Contracting.
Member of the NAHB and serve on the Board of directors on the State Home Builders Association of West Virginia .
I appose the mandate of the sprinkler system in all one and two family dwellings . This mandate would cripple the home building industry in West Virginia . I would make this argument , most fires are in older homes with poor electrical / heating systems , not new homes with better/ safer systems.

The new mandates on stair geometry codes I also oppose.
To bring in the 2012 IRC would not be wise considering that most Munisipalaties are not up to speed on the current IRC. Plus West Virginia does not have many if any qualified compliance officers to handle such new mandates.
Thanks Ed Satow Satow's Residential Contracting

Carrico, Tony

From: Steve Spiker <spikersteve52@gmail.com>
Sent: Thursday, May 03, 2012 10:00 PM
To: Carrico, Tony
Subject: state building code changes

Mr. Carrico

This e-mail is sent to express my opposition to the proposed rule changes in the building codes. As a builder we are still learning the existing codes that were passed previously. As a contractor that tries to keep educated on these issues it is extremely troubling that you are considering passing codes that we cannot find a copy of for review.

Much of our new home construction is built where no public water is available, pushing the cost of the proposed mandated sprinkler systems to include storage and pressure systems, which in turn drives the price of homes above appraised values. Many of the homes currently have trouble exceeding appraised value due to the current code requirements. If these proposed codes are passed it is our concern that the increase in home prices will have a negative effect on home starts.

Please reconsider these proposed rule changes.

Steve Spiker, President
Horizon Construction Inc.
100 N Tan St
Po box 434
Bruceton Mills WV 236525

Carrico, Tony

From: BERNIE BOYERS <ADVBLDG@COMCAST.NET>
Sent: Thursday, May 03, 2012 9:13 PM
To: Carrico, Tony
Subject: Fw: Proposed Rule Change

Dear Mr. Carrico

Please accept this e-mail as my comments in opposition to the proposed rule filed on April 2, 2012, concerning changes to the State Building Code. Some of the many reasons for my opposition are as follows:

- The latest changes to the Code (2003 IECC and 2009 IRC for residential) were far reaching from the previous codes. There is still an ongoing effort to educate both builders and code officials on these changes and now you propose to change to an even more stringent energy code and a building code very few have seen, and in the case of the compliance officers, have to recertify for. Although your proposed rule filing claims no fiscal effect, there is at the very least a cost to acquire and educate to these new codes at the Fire Marshal's office and ALL of the jurisdictions that have adopted the Building Code. (and Builders, Architects, Plumbers, Electricians.....)
- The 2009 IECC requires testing to the building envelope and duct work that very few people/companies in the State can provide. The cost of these tests added to the additional efficiency requirements escalate the cost of construction for new homes without adding to the selling price, making entry level home construction an impossibility in the areas that adopt the code.
- Requiring mandated automatic sprinklers in all residential construction, the adoption of this code will result in an even greater exodus of construction to OUTSIDE the areas of adoption. The increased costs to install, maintain and insure these systems will again greatly reduce the affordability of these new homes. Even more training for code officials (and Builders and Installers) will be required. There are still regions of the State that have adopted the Building Code but still do not have the infrastructure to support this without storage tanks and pumps. The implementation of this proposed rule will require that ALL townhouses, condos, apartments and 1 and 2 family dwellings be sprinkled through the 2012 IRC, but also the 2012 Life Safety Code.
- The differences in the 2012 IRC from the 2009 IRC recently adopted would be very difficult for me to describe, since I have been unable to acquire a copy of this new code. Coupled with the unbelievably short timeframe we have been allowed to respond to this proposed rule (30 days if you knew on April 2nd that the Rule was filed, and in writing only when hearings were always held in the past) I implore you to reconsider this proposed rule change at this time.

Bernard Boyers
Advanced Building & Development Company, Inc.
1 Georgian Manor,
Fairmont, WV, 26554

Carrico, Tony

From: Rusty Crites <rustycr1@aol.com>
Sent: Friday, May 04, 2012 9:00 AM
To: Carrico, Tony
Subject: code changes

this is a bad idea , it will slow down the building and just lay off more poeple , because of the higher cost do to the changes
the changes will be a non pay back for 95% of the poeple who would be building , becuae of the long , long pay back of any savings
thanks Rusty Crites

May 2, 2012

WV State Fire Commission
1207 Quarrier St., 2nd Floor
Charleston, WV 25301

RE: Comments -Proposed changes to Legislative Rule 87-0401, et seq, State Building Code

I, Robert L. Cannon, Chief, Beckley-Raleigh County Code Enforcement Department; Certified Building Official, City of Beckley and Raleigh County; and, President, West Virginia Code Officials Association offer the following comments on the proposed amendments to Title 87 Legislative Rule, Series 4 - the State Building Code:

1. 4.1.h. 2012 edition of the International Residential Code for One and Two Family Dwellings with the following exceptions:

Section R311.7.4.1 Riser Heights - - The maximum riser height shall be eight and one-quarter 8 (8¼) inches. *(This has been the state riser height standard since the building code was adopted.)*

Section R311.7.4.2 Tread Depth - - The minimum tread depth shall be nine (9) inches. *(This has been the state tread depth standard since the building code was adopted.)*

Section R313.2 One and two family dwellings automatic fire systems. This subsection is deleted from this rule. Subsections R313.1 and R313.3 remain a part of this rule. *(Significant elements of effective residential fire sprinkler systems are not yet adequately addressed to allow adoption of a mandatory one and two family dwelling fire sprinkler systems. However, R313.1 Townhouse sprinkler requirements and R313.3 design and installation requirement (NFPA 13D) for those who wish to install residential sprinklers must remain.)*

Chapter 11 Energy Efficiency - - This entire chapter is deleted from this rule. *(This rule adopts the 2009 Energy Conservation Code for residential buildings.)*

2. 4.1.i 2012 edition of the Life Safety Code, NFPA 101 - - Adopt the entire standard as a part of the state building code. *(The intent is for NFPA 101 to be the means of egress, fire protection, building service, fire protection equipment, interior finish, contents and furnishing standards for all new and existing structures. It simplifies the design process by incorporating State Fire Code requirements directly into the state building code. Also as the Legislative Rule specifies that in case of a conflict between the building and fire code, the fire code takes precedence adopting NFPA 101 as a building code eliminates any possible conflict.)*

Mr. Anthony Carrico
West Virginia Fire Commission
1207 Quarrier Street, 2nd Floor
Charleston, WV 25301

May 2, 2012

RE: BCAP Comments Supporting the Adoption of a Statewide Energy Code

Dear Mr. Carrico:

The Building Codes Assistance Project (BCAP) supports the adoption of the 2012 codes published by the International Code Council (ICC), particularly the inclusion of the International Property Maintenance Code (IPMC) and the International Existing Building Code (IEBC) in West Virginia. BCAP urges the State Fire Commission to adopt these updates and begin the implementation and enforcement of the code.

BCAP is also strongly in favor of adoption of both the International Energy Conservation Code (IECC) for residential construction, and ASHRAE Standard 90.1 for commercial construction. The adoption of these codes is an important step in the United States' need to achieve energy security and independence. This action will guarantee West Virginia homeowners, building owners and occupants substantial energy and utility cost savings in the decades to come.

We do want to raise our concern that adoption of 2009 energy codes with the 2012 codes for building, fire safety, mechanical, plumbing, etc., may lead to some conflicts and inconsistencies in requirements and enforcement. The ICC's codes are written as a comprehensive and thoroughly coordinated system of provisions in each publication year. Changes made in any one code are carefully integrated in related provisions in all of the other I-codes for that edition. Thus, it is likely that West Virginia code users will encounter a number of problems in attempting to reconcile 2009 energy provisions with 2012 building provisions. We recommend that the State Fire Commission conduct a thorough analysis of any such potential conflicts and consider modifications to the adopted codes as necessary.

BCAP is currently conducting studies that evaluate the cost-effectiveness of advancing to the 2012 and 2009 IECC from many states current energy code. While BCAP has not yet conducted a statewide analysis for West Virginia, BCAP has produced the analysis for many neighboring states in similar climate zones. These analyses have demonstrated both the cost effectiveness of moving towards the new code and the energy savings of the 2009 IECC. For example, the Commonwealth of Kentucky demonstrates that the cost of moving to the 2009 IECC would only be an extra \$774 on the total cost of the home. Additionally, when factored into a mortgage the homeowner would realize a break-even point at month seven, and continued energy savings throughout the life of the building.

Energy codes represent the low hanging fruit of building energy efficiency. Their adoption and implementation represent the easiest and most cost-effective path towards a secure energy economy in the future. BCAP welcomes the opportunity to work with the state of West Virginia in any way we can to support the state's adoption and implementation of these proposed codes.

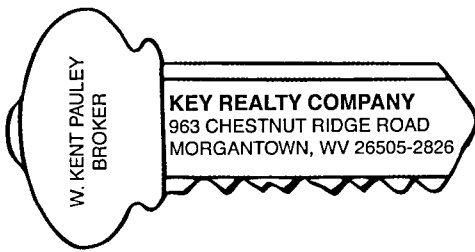
Sincerely,



Maureen Guttman, AIA
Executive Director, Building Codes Assistance Project
Senior Director, Buildings Programs, Alliance to Save Energy
1850 M St. NW, Suite 1050 | Washington, D.C. 20036
202-530-2211 | mguttman@ase.org



BCAP is an ongoing initiative of the Alliance to Save Energy, a nonprofit organization that promotes energy efficiency worldwide through research, education and advocacy. BCAP strives to be the premier resource for energy code support, coordination, technical assistance, news, and information. Our mission is to reduce the energy consumed in the construction and operations of buildings by working with national, state, and local governments and other stakeholders to promote the adoption and implementation of building codes and standards.



PH: (304) 599-6244

keyrealtycompany@yahoo.com

Tony Carrico
Office of the State Fire Marshal
1207 Quarrier Street, 2nd Floor
Charleston WV 25301

May 1, 2012

Dear Mr. Carrico,

I am a member of the Home Builders Association of West Virginia and recently attended our Spring Board meeting in Barboursville, West Virginia. Attending our committee on Government Affairs it was brought to our attention the changes that you are recommending in the State Fire Code, which I like to address with in this letter.

1. The recommended changes are being made within the three year interval, which does not allow us (builders) to learn and adopt them.

2. The 2012 IRC is not easily/or impossible to obtain for references.

3. The 2012 IRC continues to mandate sprinklers in one & two family dwellings. However, due to the rural nature of our state, it is impractical to force this on all citizens due to the extra cost they will incur.

Extra Cost:

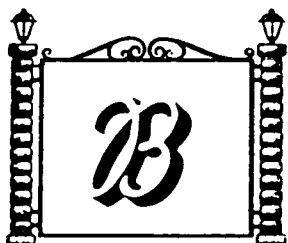
- (a) required hold tank when city water is not available.
- (b) insurance companies will charge extra premiums for sprinkler dwelling, Erie Insurance has gone~~g~~ record of this charge.
- (c) appraiser will not recognize the added expense of value to the property.

It is my opinion, a sprinkler dwelling and added cost should be at the option of the owner and not forced upon them by the government.

In conclusion: I strongly encourage you to reconsider the rules and regulations that you have proposed as being premature for the reasons I have expressed.

Respectfully yours,

Christine Pauley
Christine Pauley



Bailey General Contracting, Inc.

Post Office Box 3278 • Parkersburg, WV 26103 • (304) 485-2002

WV Contractors License #WV002391

RECEIVED

MAY 02 2012

STATE FIRE MARSHAL
Administration

Tony Carrico
Office of the State Fire Marshal
1207 Quarrier Street, 2nd. Floor
Charleston, WV 25301

May 01, 2012

Re: State Building Code

Dear Mr. Carrico,

I'm writing this letter in hopes that you could understand the challenges the builders would face if you set in motion this new building code requiring all single and two family dwellings with the installation of a sprinkler system.

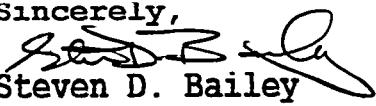
Being a builder in West Virginia for over 27 years has been an honor and a privilege. I believe in abiding by all the rules and codes that are set forth. For the safety and well being of my staff and the homeowners are crucial. I don't always agree with them but I follow them.

But I feel now that with this new code requirement, I possibly could be required to look for other employment. Mandating that all single and two family dwellings must have a sprinkler system, takes away choice. My clients will not have a choice. I'm sure it would not be in there budget, so they would have to make sacrifices elsewhere. Home Ownership, is a choice a family makes. If you are telling me I have to "sell" the sprinkler system to them, chances are I will not be building their home.

The economy as it is today, we face an uphill challenge on a daily basis, but what you are suggesting is a hard pill to swallow.

I thank you in advance, and I hope you will consider the lively hood of the Builders of West Virginia that will be affected by this new code regulation.

Sincerely,


Steven D. Bailey

Commercial and Residential Construction



HOME BUILDERS ASSOCIATION WEST VIRGINIA

2220 Washington Street East, Suite 1 • Charleston, WV 25311 • Phone (304) 342-5176 • Fax (304) 342-5177
Web Site: www.hbawv.org E-Mail: bthomasson@hbawv.org

President
Fred H. McDonald

May 2, 2012

First Vice President
Jacob S. Meck

Second Vice President
John G. Brumley

Associate Vice President
John W. Kopyscianski

Secretary
April M. Bird

Treasurer
Chris A. Ilardi

Associate Treasurer
Robert W. Ritenour

State Representative
Fred H. McDonald

National Director
Alan D. Baker

Alternate National Director
Steven D. Bailey

Associate Member Director
Thomas H. Board II

Alternate Associate
Member Director
Carl D. York

General Counsel
William F. Richmond, Jr.

Tony Carrico
Office of the State Fire Marshal
1207 Quarrier Street, 2nd Floor
Charleston, WV 25301

Re: State Building Code

Dear Mr. Carrico,

Less than two years ago some rather extensive changes were made to the state building codes with the new adoptions (effective July 1, 2010) to the statewide building codes. Builders and code officials, alike, are still working to learn and implement these changes. Since the statewide building code enabling legislation was adopted, the historical pattern has been to give a three year interval before new adoptions are considered. It gives time to learn the nature and effectiveness of new amendments.

At a time when our industry is faced with many challenges, economic and otherwise, we are unable to see the merit of playing 'catch up'. Past experiences have taught us that "the newest is not always the best".

It has been very difficult to obtain the very newly published 2012 IRC since its recent printing – many have waiting lists. We do not see the logic of making this change without giving us the ability to review or gauge the effects of changes made. It could be impractical and at substantial costs to rush to adopt something without knowledge of its full impact,

We are aware of the fact that the 2012 IRC continues to mandate the use of sprinkler systems in all one and two family dwellings. We would be letting the home building industry down if we did not continue to point out the rural nature of West Virginia in its lack of sufficient public water systems required to support. The use of sprinkler systems in one and two family single dwellings should be a ready and optional feature IF the customer wants (and can afford) and not one that would mandate the installation and added costs



A Building Force.

when many new families are unable to qualify for financing. Adding any expense is not timely or justified to a struggling industry.

A further impact would be the failure of appraisers to recognize this added expense to the value. This concept was extensively debated and soundly defeated in the 2010 session and should not be considered again.

Two years ago, we successfully made our argument in allowing prospective homeowners to choose the elements of energy efficiency in their home. They know their priorities; they know what they can afford to spend. This choice is made with knowledge of future savings and consideration of their availability of funds to own a home. Again, any professional would be obligated to give the homeowner the elements they want and can afford **AND NOT** what government says they must have.

On behalf of our members who have dedicated themselves to providing safe and affordable housing to West Virginia's citizens, we respectfully urge that you reconsider the rules and regulations that you have proposed as being premature for the reasons we have indicated.

Sincerely,

A handwritten signature in black ink, appearing to read "Fred H. McDonald", written in a cursive style.

Fred H. McDonald
President

Cc: Fire Marshal Sterling Lewis
Governor Earl Ray Tomblin
Members of Legislative Rule Making Review Committee



Tri-State Home Builders Association • PO Box 376 • Barboursville, WV 25504
304-523-2471 (304-736-0561 alternate) • Fax: 304-736-4006 • www.tristatehba.com

May 1, 2012

RECEIVED

MAY 02 2012

STATE FIRE MARSHAL
Administration

Toney Carrico

Office of the State Fire Marshall

1207 Quarrier St.

Charleston, WV, 25301

Dear Mr. Carrico,

At a time when the home building industry is struggling, adding the expense of fire sprinklers and energy increases of the 2012 IRC is wrong. Please allow time for our builders and code officials to learn and implement the codes adopted July 1, 2010. On behalf of the members of the Tri-State Homebuilders Association I ask that you reconsider the rules and regulations that you have proposed.

Sincerely,

John Brumley

Local President

Tri-State Home Builders Association
Celebrating over 50 Years of Service To the Region



May 1, 2012



Tony Carrico
Office of the State Fire Marshal
1207 Quarrier Street, 2nd Floor
Charleston, WV 25301

Re: State Building Code (Rule 87-4)

Dear Mr. Carrico,

As Executive Officer for the Tri-State Home Builders Association, I would respectfully oppose the adoption of new building codes at this time. We are still in the process of training our members to understand and implement the code that was adopted for 2010. If codes are changed at this early stage rather than the traditional 3 year interval, we would have to start the process of training all over again, potentially adding more cost and definitely more confusion.

We have not yet obtained a copy of the 2012 IRC and I feel it would be inappropriate to adopt something that we have not seen, much less examined. I have heard that the 2012 IRC does include mandatory use of sprinkler systems in all one and two family dwellings, and as our state association voiced in hearings earlier, we do not feel these should be mandatory, but optional for those who can afford and want these systems, especially where public water is not available.

Please reconsider these rule and regulation changes that are currently proposed at this time, and look at them later when we can actually read the proposed code, and discuss it at public hearings as we've done in the past.

Sincerely,

Ellen Walker, Executive Officer
Tri-State Home Builders Association

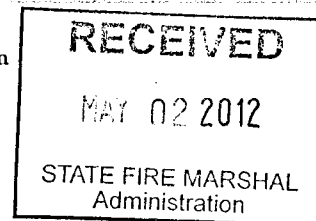


KEVIN ROBERTS CONSTRUCTION



340 Cooper Ridge Rd.
Williamstown, WV 26187
WV#021929

Phone: 304-464-5487
E-mail: kroberts@wvbuilder.com



Tony Carrico
Office of the State Fire Marshal
1207 Quarrier Street, 2nd Floor
Charleston, WV. 25301

Re: Building code

Dear Mr. Carrico,

As a small builder in the county of Wood and The City of Parkersburg I feel the adoption of the 2012 IRC Code adds another burden to the builders and Homeowners in my area. We do not have inspectors in our mostly rural area, many of us HBA members feel because we build to the existing codes required in the adopted state code and that most homeowners have no idea what that is. We are being penalized monetarily over other builders who do not know or don't build by the current code. To adopt a new code would set us further in the hole in this economic bad time.

We all believe that saving energy is important. Going from the 2003 IECC code to the 2009 IECC code is a large step. I believe small steps need to be taken to protect the homeowner and the builders from false knowledge this large step could create. Appraisers need to be brought up to today's standards on energy efficiency, as of now it is value out of the builders pocket.

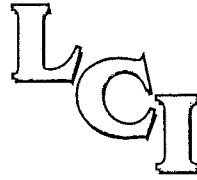
I would ask for the time, for us to properly look over the new codes (there is a waiting list to get the 2012 books) to give us a better understanding of the cost and affects on the builder and homeowners.

As a member of the Home Builders Association of West Virginia. We respectfully urge that you reconsider the rules and regulations that you have proposed as being premature for the reasons above.

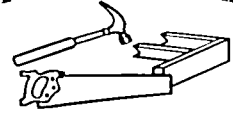
Sincerely,

Kevin Roberts

Building with Integrity and for the future



LANTA CONTRACTORS, INC.



963 CHESTNUT RIDGE ROAD • MORGANTOWN, WV 26505-2826
(304) 599-6244 • lantacontractors@yahoo.com

RECEIVED

MAY 02 2012

STATE FIRE MARSHAL
Administration

Tony Carrico
Office of the State Fire Marshal
1207 Quarrier Street, 2nd Floor
Charleston WV 25301

May 1, 2012

Dear Mr. Carrico,

I am a member of the Home Builders Association of West Virginia and recently attended our Spring Board meeting in Barboursville, West Virginia. Attending our committee on Government Affairs it was brought to our attention the changes that you are recommending in the State Fire Code, which I like to address with in this letter.

1. The recommended changes are being made within the three year interval, which does not allow us (builders) to learn and adopt them.

2. The 2012 IRC is not easily/or impossible to obtain for references.

3. The 2012 IRC continues to mandate sprinklers in one & two family dwellings. However, due to the rural nature of our state, it is impractical to force this on all citizens due to the extra cost they will incur.

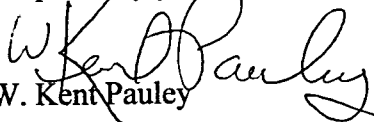
Extra Cost:

- (a) required hold tank when city water is not available.
- (b) insurance companies will charge extra premiums for sprinkler dwelling, Erie Insurance has gone record of this charge.
- (c) appraiser will not recognize the added expense of value to the property.

It is my opinion, a sprinkler dwelling and added cost should be at the option of the owner and not forced upon them by the government.

In conclusion: I strongly encourage you to reconsider the rules and regulations that you have proposed as being premature for the reasons I have expressed.

Respectfully yours,


W. Kent Pauley



April 28, 2012

West Virginia State Fire Commission
1207 Quarrier Street, 2nd Floor
Charleston WV 25301

RE: Proposed amendment to State Building Code; mandatory fire suppression sprinkler systems for one- and two-family homes. Title 87, WV Code 29-3-5b, Legislative Rule 87-04-1

I am writing on behalf of Habitat for Humanity of West Virginia and our nineteen local affiliates across our State regarding the potentially devastating impact that a proposed amendment to the State Building Code would have upon the families we serve. Habitat affiliates serve low-income families in 28 WV counties.

The West Virginia Fire Commission recently proposed an amendment of the International Residential Code for One and Two Family Dwellings, as part of the State Building Code, and filed the proposed rule to that effect with the Legislative Rule-Making Review Committee. The original proposal in 2011 of mandating that *all* new one- and two-family dwellings (including townhouses up to three stories in height) include fire suppression sprinkler systems **was removed** by the Legislative Rule-Making Review Committee and passed through both the House and Senate in the 2011 WV Legislative session. **We would like to urge you to keep this language from being reinserted into the rule.** If this proposal is approved, it would have a substantial impact upon the costs of homes built in West Virginia, including homes built by Habitat for Humanity affiliates.

Habitat for Humanity builds simple, decent homes in partnership with people in need. Since 1986, Habitat affiliates in West Virginia have built nearly 700 homes, providing safe, affordable housing for thousands of our state's citizens. These homes are sold to qualifying families, through no-interest mortgages. Habitat houses are designed and constructed with affordability in mind. We strive to keep our construction costs as low as possible, so that families with very low incomes can afford to purchase the homes we build, and so that we can build more houses with the resources available to us.

Requiring sprinklers will add significant costs to new home construction. It is estimated that including sprinkler systems would increase building costs for single family homes by \$2,000 to \$16,000, or even more. Particularly in areas where access to public water utility service is limited (as is the case in much of rural West Virginia), sprinkler systems require additional water storage tanks, pumps and control hardware, all of which make such systems prohibitively expensive for many prospective homeowners.

While these additional costs might not seem significant to someone purchasing a \$300,000 house, they would make Habitat homes unaffordable for many of the families we now serve. A typical Habitat home in West Virginia might cost \$70,000; adding a \$15,000 sprinkler system would

represent a 25% increase in that home's cost. Low-income homeowners would also be disproportionately impacted by the ongoing maintenance expense, service costs and inspection fees associated with sprinkler systems.

Because it would increase the cost of each new home, a requirement for fire suppression sprinklers would clearly reduce the number of houses Habitat for Humanity could build and the number of low-income families we could serve in the future. Many of these families are currently living in dilapidated, unsafe and unhealthy conditions, and a requirement for expensive sprinkler systems would reduce their chances of moving into decent housing. Other affordable housing providers would similarly see a reduction in the number of families they can serve if fire sprinklers are required in all new homes, as proposed.

Manufacturers of fire suppression sprinkler systems sometimes point to reduced insurance costs as a justification for requiring such systems in all homes. While insurance savings might make a sprinkler system a reasonable economic choice for some homeowners, a potential reduction of two percent to ten percent of annual insurance premium costs would save only a few dollars a year for owners of more modest homes, and would not offset the increase in home construction costs imposed by such a requirement.

Nationwide, the vast majority of fatal fires occur in homes without working smoke alarms. The problem is not homes without sprinklers. The problem is homes without working smoke alarms. Installing and maintaining smoke alarms is a proven and cost-effective way to reduce home fire fatalities – and adding hard-wired smoke alarms with battery backup adds only a small fraction of the costs associated with sprinkler systems.

Habitat for Humanity of West Virginia does not oppose the voluntary installation of fire suppression sprinkler systems in any home. We do, however, stand against the proposed mandate for the forced installation of a sprinkler system in every new home in the state, and ask that **you keep this language from being reinserted into the rule.**

Please do not hesitate to contact me for further information about Habitat for Humanity's work in West Virginia or about how the Fire Commission's proposed rule would negatively effect the people we serve.

Sincerely,

Lora Pierce
Executive Director



EASTERN PANHANDLE HOME BUILDERS ASSOCIATION



A MEMBER OF THE HOME BUILDERS ASSOCIATION OF WEST VIRGINIA

430 Randolph Street, Suite C ▲ Martinsburg, West Virginia 25401

Phone: (304) 267-4710 ▲ Fax: (304) 267-8901 ▲ E-mail: info@easternwvhomebuilders.org ▲ www.easternwvhomebuilders.org

RECEIVED

MAY 03 2012

STATE FIRE MARSHAL
Administration

May 1, 2012

Anthony W. Carrico
Deputy Chief State Fire Marshall
West Virginia State Fire Commission
1207 Quarrier Street, Second Floor
Charleston, WV 25301
Via email to anthony.w.carrico@wv.gov

Dear Mr. Carrico:

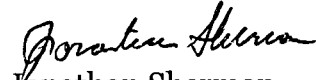
I am writing you to express concerns regarding the proposed adoption of new building codes for West Virginia by the West Virginia Fire Commission based on the following:

- As you know, building codes are, by nature, detailed and extensive. It takes a great deal of time to examine and compare new codes to existing codes to determine differences and the impact of those differences-both good and bad. The 2012 codes have just recently been published and in many cases are not available or backordered. The opportunity to adequately review new codes is essential and the current timeframe simply does not allow anyone this opportunity.
- Although the Fiscal Notes Summary in Appendix B state "The Proposed changes are anticipate to have no financial impact of the costs and revenues of state government." However there are certainly costs associated with the new code for training and enforcement. There are also most certainly costs included to the citizens of West Virginia that should be considered before the code is adopted in its entirety. Energy code changes alone should warrant careful evaluation of the costs versus benefits to the homeowner. Requiring sprinklers in single family homes also has a cost with debatable benefits to the homeowners and a host of operational and maintenance issues that are problematic.
- Third, due to the nature of building codes, there are several exemptions from the current code including stair geometry, requirements for light switches, door landings, building clearances on slopes and footing setbacks that are not well suited to local condition across the state. These sections need to be evaluated and reviewed not struck out merely to adopt a new code in the original form.

Anytime there is change, there is concern about the effect of the changes. Time and study are crucial to insure the right changes are being made. Our members want to build

the best homes available to our residents with the required features at an affordable price. There are too many unanswered questions about the 2012 codes that need to be reviewed before adoption. Therefore, I am requesting the West Virginia Fire Commission rescind/revise the proposed rule change for new codes in order to provide the time and attention necessary to best serve all parties involved in the process.

Sincerely,



Jonathan Sherman
President

cc: Home Builders Association of West Virginia
Senator Herb Snyder

Carrico, Tony

From: john brumley <brumleyjohn@hotmail.com>
Sent: Tuesday, May 01, 2012 1:16 PM
To: Carrico, Tony
Subject: State Building Code



May 1, 2012

Toney Carrico
Office of the State Fire Marshall
1207 Quarrier St.
Charleston, WV, 25301

Dear Mr. Carrico,

At a time when the home building industry is struggling, adding the expense of fire sprinklers and energy increases of the 2012 IRC is wrong. Please allow time for our builders and code officials to learn and implement the codes adopted July 1, 2010. On behalf of the members of the Tri-State Homebuilders Association I ask that you reconsider the rules and regulations that you have proposed.

Sincerely,

John Brumley
Local President

Carrico, Tony

From: Chris Ilardi <chris@alleghenydevelopment.com>
Sent: Tuesday, May 01, 2012 11:48 AM
To: Carrico, Tony
Cc: "Sterling Lewis (Business Fax)"; Senator Beach; Beth Thomasson
Subject: Proposed Rule Change

Dear Mr. Carrico

Please accept this e-mail as my comments in opposition to the proposed rule filed on April 2, 2012, concerning changes to the State Building Code. Some of the many reasons for my opposition are as follows:

-The latest changes to the Code (2003 IECC and 2009 IRC for residential) were far reaching from the previous codes. There is still an ongoing effort to educate both builders and code officials on these changes and now you propose to change to an even more stringent energy code and a building code very few have seen, and in the case of the compliance officers, have to recertify for. Although your proposed rule filing claims no fiscal effect, there is at the very least a cost to acquire and educate to these new codes at the Fire Marshal's office and ALL of the jurisdictions that have adopted the Building Code. (and Builders, Architects, Plumbers, Electricians.....)

-The 2009 IECC requires testing to the building envelope and duct work that very few people/companies in the State can provide. The cost of these tests added to the additional efficiency requirements escalate the cost of construction for new homes without adding to the selling price, making entry level home construction an impossibility in the areas that adopt the code.

-Requiring mandated automatic sprinklers in all residential construction, the adoption of this code will result in an even greater exodus of construction to OUTSIDE the areas of adoption. The increased costs to install, maintain and insure these systems will again greatly reduce the affordability of these new homes. Even more training for code officials (and Builders and Installers) will be required. There are still regions of the State that have adopted the Building Code but still do not have the infrastructure to support this without storage tanks and pumps. The implementation of this proposed rule will require that ALL townhouses, condos, apartments and 1 and 2 family dwellings be sprinkled through the 2012 IRC, but also the 2012 Life Safety Code.

-The differences in the 2012 IRC from the 2009 IRC recently adopted would be very difficult for me to describe, since I have been unable to acquire a copy of this new code. Coupled with the unbelievably short timeframe we have been allowed to respond to this proposed rule (30 days if you knew on April 2nd that the Rule was filed, and in writing only when hearings were always held in the past) I implore you to reconsider this proposed rule change at this time.

Chris Ilardi, Vice President
Pineview Supply Corporation
4 Riddle Court
Morgantown, WV 26505



April 30, 2012



Sterling Lewis Jr., West Virginia Fire Marshal
West Virginia State Fire Commission
1207 Quarrier St., 2nd Floor
Charleston, WV 25301

RE: Public Comment, Rules No. 87-04

Dear Fire Marshal Lewis:

The West Virginia Division of Energy is responsible for fossil, renewable and energy efficiency resource development and energy services to businesses, communities and homeowners in West Virginia.

Under its mission to advance energy efficiency in West Virginia, the division supports the West Virginia Fire Commission's proposed amendment to the West Virginia State Building Code, Title 87, Series 4, as filed with the West Virginia Secretary of State's Office.

The rule establishes the standards considered necessary by the State Fire Commission for the safeguarding of life and property and to ensure compliance with the minimum standards of safe construction of all structures erected or renovated throughout the state. The rule includes the 2009 edition of the International Energy Conservation Code for residential buildings, referenced below as the 2009 IECC. It also includes the ANSI/ASHRAE/IESNA Standard 90.1-2007 for commercial buildings.

Energy efficiency translates into cost savings for W.Va. homeowners. The most cost-effective way to incorporate energy-saving methods is during construction. During the last building code adoption cycle, the baseline energy efficiency requirements were improved to the 2003 IECC. The 2009 IECC is 15 percent more energy efficient than its predecessors from 2006 and 2003.

The 2009 American Recovery and Reinvestment Act (ARRA and also known as the stimulus), directed:

The State, or the applicable units of local government that have authority to adopt building codes, will implement the following: A building energy code (or codes) for residential buildings that meets or exceeds the most recently published International Energy Conservation Code, or achieves equivalent or greater energy savings. A building energy code (or codes) for commercial buildings throughout the State that meets or exceeds the ANSI/ASHRAE/IESNA Standard 90.1-2007, or achieves equivalent or greater energy savings.

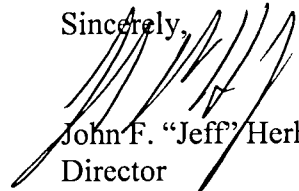
Adoption of the commission's proposed rules will meet these directives of the ARRA. As a result of ARRA, West Virginia has nearly completed renovations to more than 6 million square feet of state government buildings and over 1 million square feet of local government buildings, reducing the cost of government to West Virginia taxpayers. These investments would not have been possible without ARRA support.

The energy-saving building practices of the 2009 IECC will lower annual energy costs to new homeowners and help protect West Virginians from future energy cost increases.

The West Virginia Division of Energy is committed to easing the transition to improved energy codes. Training on the 2009 IECC is being provided to West Virginia home builders.

The West Virginia Division of Energy supports the amendment to the state building code as proposed by the West Virginia Fire Commission.

Sincerely,



John F. "Jeff" Herholdt, Jr.
Director



CAMERON CONSTRUCTION

125 First St Vincent, OH 45784
(740) 706-HOME Fax (740) 678-1040

April 30, 2012

Tony Carrico
Office of the State Fire Marshal
1207 Quarrier Street, 2nd Floor
Charleston, WV 25301

Re: State Building Code

Dear Mr. Carrico,

Less than two years ago some rather extensive changes were made to the state building codes with the new adoptions (effective July 1, 2010) to the statewide building codes. Builders and code officials, alike, are still working to learn and implement these changes. Since the statewide building code enabling legislation was adopted, the historical pattern has been to give a three year interval before new adoptions are considered. It gives time to learn the nature and effectiveness of new amendments.

At a time when our industry is faced with many challenges, economic and otherwise, we are unable to see the logic of playing 'catch up'. Past experiences have taught us that "the newest is not always the best".

It has been very difficult to obtain the very newly published 2012 IRC since its recent printing – many have waiting lists. We do not see the logic of making this change without giving us the ability to review or gauge the effects of changes made. It could be impractical and at substantial costs to rush to adopt something without knowledge of its full impact,

We are aware of the fact that the 2012 IRC continues to mandate the use of sprinkler systems in all one and two family dwellings. We would be letting the home building Industry down if we did not continue to point out the rural nature of West Virginia in its lack of sufficient public water systems required to support. The use of sprinkler systems in one and two family single dwellings should be a ready and optional feature IF the customer wants (and can afford) and not one that would mandate the installation and added costs when many new families are unable to qualify for financing. Adding any expense is not timely or justified to a struggling industry.

A further impact would be the failure of appraisers to recognize this added expense to the value. This concept was extensively debated and soundly defeated in the 2010 session and should not be considered again.

Two years ago, we successfully made our argument to allowing prospective homeowners to choose the elements of energy efficiency in their home. They know their priorities; they know what they can afford to spend. This choice is made with knowledge of future savings and consideration of their availability of funds to own a home. Again, any professional would be obligated to give the homeowner the elements they want and can afford **AND NOT** what government says they must have.

On behalf of our members who have dedicated themselves to providing safe and affordable housing to West Virginia's citizens, we respectfully urge that you reconsider the rules and regulations that you have proposed as being premature for the reasons we have indicated.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael Cameron", with a stylized flourish at the end.

Michael Cameron

CAMERON CONSTRUCTION

April 27, 2012

VIA E-MAIL

Mr. Anthony Carrico
West Virginia State Fire Commission
1207 Quarrier Street, 2nd Floor
Charleston, WV 25301

**RE: Comments of the Responsible Energy Codes Alliance (RECA)
Supporting Updates to West Virginia's Building Energy Codes**

Dear Mr. Carrico,

The Responsible Energy Codes Alliance supports the proposed updates to the state building code filed with the Secretary of State on April 2, 2012. By adopting the 2012 *IRC*, 2009 *IECC*, and ASHRAE Standard 90.1-2007, the State Fire Commission will meet or exceed the requirements of West Virginia Code §29-3-5b, and will bring energy savings to West Virginians for years to come.

Although we support the update as proposed, we also encourage the State Fire Commission to take full advantage of the potential energy savings and long-term benefits of the 2012 International Codes by adopting the latest, most advanced version of the national model energy code—the 2012 *IECC*—for all construction. The 2012 *IECC* substantially updates the energy efficiency requirements for residential and commercial construction, and it allows builders and design professionals more options for compliance in commercial construction.

The Responsible Energy Codes Alliance is a broad coalition of energy efficiency professionals, regional organizations, product and equipment manufacturers, trade associations, and environmental organizations that promote the adoption and implementation of improved building energy codes and, in particular, the most recent version of the *IECC* nationwide. A list of RECA members is enclosed at the end of this letter. RECA members have been involved in the development of the *IRC* and *IECC*, and the implementation of these codes in jurisdictions across the country for two decades.

We note that the Fire Commission engaged in an extensive rulemaking process to consider and approve the 2009 *IECC* in 2009-10. However, H.B. 4081(2010) reversed the work of the Fire Commission to adopt the 2009 *IECC* with no expressed justification. As we understand it, the Fire Commission's authority under West Virginia Code §29-3-5b to adopt residential and commercial energy codes is still valid, and we support the Fire Commission for its current efforts to revive the code adoption process. RECA filed comments on June 16, 2009 in support of the Fire Commission's previous update to the statewide energy code. The reasons we listed for supporting the 2009 *IECC* still apply, and a copy of that letter is attached to this submission. Moreover,

since the last rulemaking effort, the U.S. DOE has issued determinations and other material that provide additional support for the 2009 and 2012 IECC. A copy of these materials is also included with this submission.

In addition to the energy savings represented by the 2009 IECC and ASHRAE 90.1-2007, West Virginia could take yet another step toward a more secure energy future by adopting the full suite of 2012 International Codes, including the 2012 IECC for all residential and commercial construction. The following are some of the many reasons why the 2012 IECC should be the energy code of West Virginia.

1. Support for Adoption of the 2012 IECC

By implementing and enforcing the 2012 *IECC*, West Virginia will help ensure that every buyer of a new home gets a reasonably energy efficient home, and that every owner or operator of a new commercial building receives the benefits of a modern, energy efficient building. West Virginia and its citizens stand to benefit from the adoption of the 2012 *IECC* in many ways:

- According to the U.S. Department of Energy, the 2012 *IECC* represents a 30% improvement in energy efficiency as compared to the 2006 *IECC*, and “represents the largest, one-step efficiency increase in the history of the national model energy code.”¹ The improvement will be even more significant for West Virginia, since the current residential energy code is the 2003 *IECC*.
- Like the previous versions of the *IECC*, the 2012 *IECC* is the final product of a well-developed, long-standing model code development process that involves the nation’s leading experts in energy efficiency, building design and product performance, state and local governmental officials, product manufacturers, architects and builders. However, the 2012 *IECC* is the most recent published edition and it represents greater energy savings than all previous editions.
- By adopting the 2012 *IECC*, West Virginia will meet the requirements and intent of West Virginia Code §29-3-5b,² will stay on track with state energy efficiency

“[The 2012 *IECC*]
represents the largest,
one-step efficiency
increase in the history
of the national model
energy code.”
–U.S. Department
of Energy

¹ See “2012 *IECC* Final Action Hearings Deliver DOE’s 30% Energy Savings Goals,” at http://www.energycodes.gov/status/2012_Final.stm.

² §29-3-5b(c) directs the State Fire Commission to adopt “(1) The 2009 edition of the International Energy Conservation Code for residential buildings or other building energy code or codes for residential buildings that meets or exceeds equivalent energy savings; and (2) The ANSI/ASHRAE/IESNA Standard 90.1-2007 building energy code for commercial buildings or other building energy code or codes for commercial buildings that meets or exceeds equivalent energy savings.” The 2012 *IRC* and 2012 *IECC* provide superior energy savings to both codes named in this statute.

goals, providing benefits to the state and to building and home owners for many years. New construction is the most cost-effective time to install good insulation, quality windows and doors, and properly sized and efficient heating and cooling equipment. Construction costs should be reduced through economies of scale, as suppliers and retailers may reduce inventories and streamline production to meet energy targets established by the code.

- The adoption of the 2012 *IECC* will facilitate compliance with and enforcement of the code, as many of the provisions are simpler and easier to apply than previous versions, and builders and code officials can take advantage of free Department of Energy trainings, the latest free compliance software like REScheck, and other programs.

Specific improvements incorporated into the 2012 *IECC* for **residential buildings** in West Virginia include the following:

- **Improvements to the permanent thermal building envelope, including better window requirements and stronger insulation requirements.** The 2012 *IECC* improves requirements for better-insulated attics, walls, basements, and crawl spaces. These measures are most cost-effective at initial construction, and will yield energy savings for the useful lifetime of the home. The 2012 *IECC* also includes a moderate limitation on solar heat gain (SHGC) in fenestration, typically at no extra cost for the window. This requirement can contribute to reduced HVAC equipment cost where equipment is sized properly. This will allow cooling systems to be sized smaller, and will keep homes more comfortable year-round. Curbing peak demand in homes will also help control West Virginia's growing summer peak electric demand, avoiding the need to build and site additional generation.
- **Tighter thermal envelope from improved air leakage testing.** Under the 2012 *IECC*, West Virginia homes will be tightly sealed with tested air leakage meeting a reasonable performance standard. Air leakage testing is objective and more reliable than a visual inspection, will reduce the burden on code officials to inspect for air leakage, and the energy savings will be substantial in many cases.
- **Less duct leakage in HVAC distribution systems.** As in the 2009 *IECC*, duct testing is required unless ducts and air handler are located inside conditioned space. The improved duct tightness standard in the 2012 *IECC* will result in more efficient delivery of heated or cooled air to the entire house, reducing the amount of energy used to heat and cool and helping to avoid the need for occupants to adjust the thermostat to address discomfort.
- **More efficient hot water systems.** The 2012 *IECC* implements modest requirements for hot water distribution systems. Hot water pipes must be insulated or the hot water distribution must be more efficient.

- **More efficient lighting.** The 2012 *IECC* increases the percentage of lighting required to have high-efficacy bulbs from 50 to 75%. This relatively simple measure saves substantial energy.

Specific improvements incorporated into the 2012 *IECC* for **commercial buildings** in West Virginia include the following:

- **Multiple compliance options.** The 2012 *IECC* provides multiple paths to compliance, including meeting the requirements of ASHRAE Standard 90.1-2010. The *IECC* also contains prescriptive and performance-based options that are distinct from (and in some cases more efficient than) the options available in ASHRAE Standard 90.1.
- **Improved thermal envelope.** The 2012 *IECC* includes improvements to nearly every major component in the building, particularly the permanent thermal building envelope. A simplified fenestration table, improved insulation requirements, and improved air barrier requirements will ensure that buildings remain efficient for many years.
- **Updated and improved equipment efficiency.** The 2012 *IECC* tracks the latest technology for heating, cooling, and water heating equipment.
- **New technical upgrades.** For the first time, the *IECC* commercial chapter includes provisions for HVAC commissioning and new requirements related to skylights and daylighting.
- **Innovative options.** Users of the 2012 *IECC* will select and implement one of three new innovative options to bring additional energy savings: high performance lighting, high performance HVAC equipment, or the implementation of on-site renewable energy.

2. Getting the Full Benefits of the 2012 *IECC*

Although RECA supports the April 2 proposal to update most of the state's building codes to the 2012 edition, we believe the adoption of the 2012 *IECC* would bring long-term benefits to owners of homes and buildings in West Virginia. If the State Fire Marshal intends to take this important next step, we recommend the following simple changes to the rule:

4.1.f. The ~~2003~~ **2012** edition of the International Energy Conservation Code, for ~~residential~~ **commercial buildings and residential buildings other than One and Two Family Dwellings.**

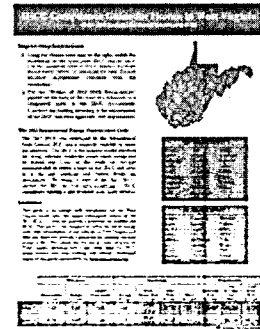
~~4.1.g. The ANSI/ASHRAE/IESNA Standard 90.1-2007 Edition for Commercial Buildings.~~

4.1.h. The 2012 edition of the International Residential Code for One and Two Family Dwellings, with the following exceptions [...]

The 2012 *IECC* references ASHRAE Standard 90.1-2010, which contains substantially improved energy efficiency requirements as compared to Standard 90.1-2007 (the version referenced in the 2009 *IECC*). By replacing the reference to ASHRAE Standard 90.1 with the *IECC*, West Virginia will be multiplying the options for code users to comply with the energy efficiency requirements of the code. The 2012 *IECC* allows compliance with ASHRAE Standard 90.1-2010 as one option to meet the requirements of the *IECC*. Under either scenario, commercial buildings would save much more energy than under the current proposal.

2009 and 2012 *IECC* Builder Compliance Guides

As with previous generations of the *IECC*, RECA has created one-page simple reference guides for the key elements of the 2009 and 2012 *IECC*. These guides have been used around the country for code compliance and training purposes. A copy of a 2012 *IECC* guide for West Virginia is attached to this submission, and additional copies can be downloaded or printed free of charge from our website, www.reca-codes.com. Hard copies can also be customized for West Virginia's training and compliance needs. Please contact RECA directly for more information.



Conclusion

RECA wholeheartedly supports West Virginia's efforts to create a better energy future for its citizens by adopting the 2012 International Codes. We offer our assistance and experience in energy code adoption and implementation to you and the State of West Virginia as you work to maximize building energy efficiency. We hope that you will not hesitate to draw on RECA's support and willingness to help. Please contact me at (202) 339-6366 if you have any questions or would like to discuss how RECA can be of assistance.

Sincerely,

Eric Lacey
Chairman

RECA is a broad coalition of energy efficiency professionals, regional organizations, product and equipment manufacturers, trade associations, and environmental organizations with expertise in the adoption, implementation and enforcement of building energy codes nationwide. RECA is dedicated to improving the energy efficiency of homes in West Virginia and throughout the U.S. through greater use of energy efficient practices and building products. It is administered by the Alliance to Save Energy, a non-profit coalition of business, government, environmental and consumer leaders that supports energy efficiency as a cost-effective energy resource under existing market conditions and advocates energy-efficiency policies that minimize costs to society and individual consumers. Below is a list of RECA Members that endorse these comments.

Air Barrier Association of America

Alliance to Save Energy

American Chemistry Council

American Council for an Energy-Efficient Economy

Cardinal Glass Industries, Inc.

CertainTeed Corporation

EPS Molders Association

Extruded Polystyrene Foam Association

Guardian Industries Corporation

Institute for Market Transformation

Johns Manville Corporation

Knauf Insulation

National Fenestration Rating Council

North American Insulation Manufacturers Association

Owens Corning

Pactiv Corporation

Polyisocyanurate Insulation Manufacturers Association

Sierra Club



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Joyce Garrison
434 Shennanwood Drive
Harpers Ferry, WV 25425

Re: Public Comments on the State Building Code

Mrs. Garrison,

Thank you for your letter of May4 regarding your request for the Fire Commission to rescind/revise the proposed change to the new codes however the Commission has unanimously voted in the past to move into the 2012 ICC Codes with 2009 Energy Code for Residential.

This move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Steve Spiker, President
North Central West Virginian Home Builders Association
4 Riddle Court
Morgantown, WV 26505

Re: Public Comments on the State Building Code

Mr Spiker,

Thank you for your letter of May 4, 2012 stating your concerns. The State Fire Commission feels very strongly on the adoption including the 2009 IECC as it has been a mandate by the legislature for several years for the Commission to promulgate the rule; however this is not our main focus. This move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

As far as research of the new, code books have been available since Spring of 2011 and free training has been available thru the WV Department of Energy as well as thru several Community Colleges for a number of Codes.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Brenda Slavin
Pella Window and Door
2715 Murdoch Avenue, C-3
Parkersburg, WV 26101

Re: Public Comments on the State Building Code

Ms. Slavin,

Thank you for your letter of May 4, 2012 stating that the legislature just went thru significantly code changes in the last 2 years. Current Law has WV at the 2003 version of the IECC and the State of West Virginia does not meet Federal Guidelines.

Also, looking at Pella's website, I see where Pella is the industry leader in sustainability and meeting Energy Star for 5 years. I congratulate you on that effort.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Aaron Dickerson, Owner
ALD Enterprises LLC
Morgantown, WV 26508

Re: Public Comments on the State Building Code

Mr. Dickerson,

Thank you for your public comment of May 4, 2012. State Law for the Building only provides for a comment period, not a hearing. This process is no different since you have voiced your opinion now rather than at the public hearing.

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Travis Carpenter
Crites Electric
TravisC@criteselectric.com (Email Comment)

Re: Public Comments on the State Building Code

Mr. Carpenter,

Thank you for your public comment of May 4, 2012.

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

A handwritten signature in black ink, appearing to read "Ted A. Shriver", is written over a horizontal line.

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Rusty Crites
Crites Electric
Rustycr1@aol.com (Email Comment)

Re: Public Comments on the State Building Code

Mr. Crites,

Thank you for your public comment of May 4, 2012.

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Ed Satow
Satow's Residential Contracting
satows@suddenlinkmail.com

Re: Public Comments on the State Building Code

Mr. Satow,

Thank you for your public comment of May 3, 2012.

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Steve Spiker, President
Horizon Construction, Inc.
100 N Tan St
PO BOX 434
Bruceton Mills, WV 26525

Re: Public Comments on the State Building Code

Mr. Spiker,

Thank you for your public comment of May 3, 2012

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan

Chairman

Carl Sizemore

Vice Chairman

Larry Goodwin

Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Bernard Boyers
Advanced Building & Development Company, Inc.
1 Georgian Manor
Fairmont, WV 26554

Re: Public Comments on the State Building Code

Mr. Boyers,

Thank you for your letter of May 4, 2012 stating your concerns. The State Fire Commission feels very strongly on the adoption including the 2009 IECC as it has been a mandate by the legislature for several years for the Commission to promulgate the rule; however this is not our main focus. This move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

As far as research of the new, code books have been available since Spring/Summer of 2011 and free training has been available thru the WV Department of Energy as well as thru several Community Colleges for a number of Codes.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Robert Cannon
Code Official
West Virginia Building Code Official Association

Re: Public Comments on the State Building Code

Mr. Cannon,

Thank you for your letter of May 2, 2012 stating your concerns. Most of these comments you presented to the Commission as suggestions to the Rule which the Commission objected to in their review.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Maureen Guttman, AIA
Executive Director, Building Codes Assistance Project
Senior Director, Buildings Programs, Alliance to Save Energy
1850 M St. NW, suite 1050
Washington, DC 20036

Re: Public Comments on the State Building Code

Ms. Guttman,

Thank you for your letter of May 2, 2012 stating your support and yet some concerns of mixed editions of the code; however the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IECC and 2009 IRC.

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Christine Pauley
Key Realty Company
963 Chestnut Ridge Road
Morgantown, WV 26505-2826

Re: Public Comments on the State Building Code

Dear. Ms. Pauley,

Thank you for your public comment of May 3, 2012. You state that your comments are relative to the Fire Code but we have not put those Rules out for Public Comment.

In regards to the Building Code, please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Steven D. Bailey
Bailey General Contracting, Inc.
Post Office Box 3278
Parkersburg, WV 26103

Re: Public Comments on the State Building Code

Mr. Bailey,

Thank you for your public comment of May 1, 2012

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Fred H. McDonald, President
Home Builders Association of West Virginia
2220 Washington Street East, Suite 1
Charleston, WV 25311

Re: Public Comments on the State Building Code

Mr. McDonald,

Thank you for your public comment of May 2, 2012

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

As far as research of the new, code books have been available since Spring/Summer of 2011 and free training has been available thru the WV Department of Energy as well as thru several Community Colleges for a number of Codes.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings. These Rules will be submitted to the Legislative Rules Committee for consideration in the 2013 Legislative Session.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

John Brumley, Local President
Tri-State Builders Association
PO Box 376
Barboursville, WV 25504

Re: Public Comments on the State Building Code

Dear Mr. Brumley,

Thank you for your public comment of May 1, 2012

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

As far as research of the new, code books have been available since Spring/Summer of 2011 and free training has been available thru the WV Department of Energy as well as thru several Community Colleges for a number of Codes.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings. These Rules will be submitted to the Legislative Rules Committee for consideration in the 2013 Legislative Session.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Ellen Walker, Executive Officer
Tri-State Builders Association
PO Box 376
Barboursville, WV 25504

Re: Public Comments on the State Building Code

Dear Ms. Walker,

Thank you for your public comment of May 1, 2012

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

As far as research of the new, code books have been available since Spring/Summer of 2011 and free training has been available thru the WV Department of Energy as well as thru several Community Colleges for a number of Codes.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings. These Rules will be submitted to the Legislative Rules Committee for consideration in the 2013 Legislative Session.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Kevin Roberts
Kevin Roberts Construction
340 Cooper Ridge Road
Williamson, WV 26187

Re: Public Comments on the State Building Code

Dear Mr. Roberts,

Thank you for your public comment.

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

As far as research of the new, code books have been available since Spring/Summer of 2011 and free training has been available thru the WV Department of Energy as well as thru several Community Colleges for a number of Codes.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings. These Rules will be submitted to the Legislative Rules Committee for consideration in the 2013 Legislative Session.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

W. Kent Pauley
Lanta Contractors, Inc.
963 Chestnut Ridge Road
Morgantown, WV 26505-2826

Re: Public Comments on the State Building Code

Mr. Pauley,

Thank you for your public comment of May 1, 2012

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

As far as research of the new, code books have been available since Spring/Summer of 2011 and free training has been available thru the WV Department of Energy as well as thru several Community Colleges for a number of Codes.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings. These Rules will be submitted to the Legislative Rules Committee for consideration in the 2013 Legislative Session.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Lora Pierce
Habitat for Humanity
PO Box 70146
Charleston, WV 25301

Re: Public Comments on the State Building Code

Dear Ms. Pierce,

Thank you for your public comment of May 1, 2012

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

I hear your opposition to fire suppression systems but the Commission feels very strongly about saving lives of the home owners as well as the fire service. I agree that \$15,000 for a sprinkler system in a \$70,000 home seems cost prohibitive but I can't substantiate your estimates. As we continue through this process, I would like to see your data in regards to the cost of sprinklers.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings. These Rules will be submitted to the Legislative Rules Committee for consideration in the 2013 Legislative Session.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Jonathan Sherman, President
Eastern Panhandle Home Builders Association
430 Randolph Street, Suite C
Martinsburg, WV 25401

Re: Public Comments on the State Building Code

Mr. Sherman

Thank you for your public comment of May 1, 2012

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

As far as research of the new, code books have been available since Spring/Summer of 2011 and free training has been available thru the WV Department of Energy as well as thru several Community Colleges for a number of Codes.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings. These Rules will be submitted to the Legislative Rules Committee for consideration in the 2013 Legislative Session.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Chris Ilardi, Vice President
Pineview Supply Corporation
4 Riddle Court
Morgantown, WV 26505

Re: Public Comments on the State Building Code

Mr. Ilardi,

Thank you for your public comment of May 1, 2012

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

As far as research of the new, code books have been available since Spring/Summer of 2011 and free training has been available thru the WV Department of Energy as well as thru several Community Colleges for a number of Codes. As the Rules and State Codes change vendors and contractors will support the contractors in providing the service at a reasonable cost. To date, there is no need for them to be here. I hear your opposition to fire suppression systems but the Commission feels very strongly about saving lives of the home owners as well as the fire service.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings. These Rules will be submitted to the Legislative Rules Committee for consideration in the 2013 Legislative Session.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

John F. "Jeff" Herholdt, Jr., Director
West Virginia Division of Energy
Capitol Complex, Building 6, Room 620
Charleston, WV 25305

Re: Public Comments on the State Building Code

Dear Mr. Herholdt,

Thank you for your public comment of April 30, 2012 in support of and mirror the efforts of the Commission as we both feel very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

I also wish to thank you for the efforts in training of the current and proposed new codes. This service is invaluable as we move forward.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings. These Rules will be submitted to the Legislative Rules Committee for consideration in the 2013 Legislative Session.

Sincerely,

Ted A. Shriver AtA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan
Chairman
Carl Sizemore
Vice Chairman
Larry Goodwin
Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191
Fax: (304) 558-2537

June 28, 2012

Michael Cameron
Cameron Construction
125 First St
Vincent, OH 45784

Re: Public Comments on the State Building Code

Dear Mr. Cameron,

Thank you for your public comment of April 30, 2012

The Commission feels very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

As far as research of the new, code books have been available since Spring/Summer of 2011 and free training has been available thru the WV Department of Energy as well as thru several Community Colleges for a number of Codes.

I hear your opposition to fire suppression systems but the Commission feels very strongly about saving lives of the home owners as well as the fire service

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings. These Rules will be submitted to the Legislative Rules Committee for consideration in the 2013 Legislative Session.

Sincerely,

Ted A. Shriver AIA
Code and Regulatory Committee Chairman
West Virginia State Fire Commission



The Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

Bob Sullivan

Chairman

Carl Sizemore

Vice Chairman

Larry Goodwin

Secretary

STATE FIRE COMMISSION

1207 Quarrier St, 2nd Floor
Charleston, WV 25301

Phone: (304) 558-2191

Fax: (304) 558-2537

June 28, 2012

Eric Lacey, Chairman
Responsible Energy Codes Alliance
1850 M Street NW, Suite 600
Washington, DC 20036

Re: Public Comments on the State Building Code

Dear Mr. Lacey,

Thank you for your public comment of April 27, 2012

Thank you for your public comment of April 30, 2012 in support of and mirror the efforts of the Commission as we both feel very strongly in this adoption as this move will not only save homeowners on utility costs, insurance rates but will save our valuable energy resources and provide safety measures to our first responders.

Please note that the Committee recommended and the Commission voted on June 19, 2012 to submit the Rules with the 2012 I-Codes inclusive with the 2009 IRC as well 2009 IECC for residential buildings and ASHRAE 90.1 – 2007 Edition for commercial buildings. These Rules will be submitted to the Legislative Rules Committee for consideration in the 2013 Legislative Session.

Sincerely,

Ted A. Shriver
Code and Regulatory Committee Chairman
West Virginia State Fire Commission

Mrs. Joyce Garrison
434 Shenanwood Drive
Harpers Ferry, West Virginia 25425
May 4, 2012

Anthony W. Carrico
Deputy Chief State Fire Marshall
West Virginia State Fire Commission
1207 Quarrier Street, Second Floor
Charleston, West Virginia 25301
Via Email to: Anthony.w.carrico@wv.gov

Dear Mr. Carrico:

I am writing you with regard to the proposed adoption of new building codes for West Virginia by the West Virginia Fire Commission. As a licensed mortgage banker, a licensed realtor, a member of the State Home Builders Association and married to a licensed real estate agent and broker, I am concerned about the adoption of new codes which could have a significant impact on West Virginia residents.

The 2012 codes have just recently been published and in many cases are either not available or backordered. We have not had an opportunity to review the proposed code nor understand the monetary impact on residents.

Currently we have a number of exemptions from the existing code including building clearances on slopes and footing setbacks which are not suited for many areas of our State. In the past energy code changes have been discussed which would impact our residents. Sprinkling systems have also been addressed which not only would increase the cost of single family residences, but add to insurance costs and premiums due to damages which could be a result of a non-functioning system.

Overall before any changes are adopted, time is needed to make sure West Virginians can be assured the 2012 code changes will be right for all, or make exemptions as necessary. As a resident, a professional in the mortgage banking field and a licensed realtor, I am requesting the West Virginia Fire Commission rescind/revise the proposed change for new codes.

Sincerely,

Joyce Garrison

Cc: Home Builders Association of West Virginia

Butcher, Randy G

From: Whitehead, Robert A
Sent: Tuesday, July 17, 2012 10:05 AM
To: Butcher, Randy G
Subject: RE: Rush job

Yes.

From: Butcher, Randy G
Sent: Tuesday, July 17, 2012 9:47 AM
To: Whitehead, Robert A; Gilli, Greg A
Subject: Rush job

Bob, Joe Clay from atty. Gen. office brought in 38 simplex originals, B&W wants 17 copies to take with him. Do I have permission to do this? Randy