

West Virginia State Fire Commission
State Building Code
87CSR4

STATEMENT OF REASON

The Committee received testimony that a requirement in the amended rule series requiring the installation of automatic fire sprinkler systems in newly constructed one and two family residential homes would significantly increase the cost associated with construction and as such, would have a detrimental economic effect on housing construction in the State. The Committee amended the rule series to remove this requirement.

The Committee also amended the rule series so as to restore subdivision 4.1.6, which relates to the International Energy Conservation Code, to the current language which provides for the adoption of the 2003 edition rather than the 2009 edition as provided by the Fire Commission's amended rule series. Again, the basis for the amendment was the significant economic impact the amendment might have on the home construction industry.



FILED

2009 DEC 10 AM 9: 53

WEST VIRGINIA LEGISLATURE
Legislative Rule-Making Review Committee

OFFICE OF THE WEST VIRGINIA
SECRETARY OF STATE

Senator Joseph Minard, Cochair
Delegate Bonnie Brown, Cochair
Debra A. Graham, Chief Counsel
Felisha N. Sutherland, Administrative Assistant

Rita A. Pauley, Associate Counsel
Brian Skinner, Associate Counsel
Charles Roskovensky, Associate Counsel
Jay Lazell, Associate Counsel

December 8, 2009

NOTICE OF ACTION TAKEN BY THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

TO: Natalie E. Tennate, Secretary of State, State Register

TO: Sterling Lewis
WV State Fire Commission
1207 Quarrier Street, 2nd Floor
Charleston, WV

FROM: Legislative Rule-Making Review Committee

Proposed Rule: State Building Code, 87CSR4

The Legislative Rule-Making Review Committee Recommends that the West Virginia Legislature:

1. Authorize the agency to promulgate the Legislative rule:
 - (A) as originally filed _____
 - (B) as modified by the agency _____
2. Authorize the agency to promulgate part of the Legislative rule; a statement of reasons for such recommendation is attached. _____
3. Authorize the agency to promulgate the Legislative rule with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____
4. Authorize the agency to promulgate the Legislative rule as modified with certain amendments; amendments and a statement of reasons for such recommendation is attached. _____ ✓ JMS
5. Recommends that the Legislature rule be withdrawn; a statement of reasons for such recommendation is attached. _____

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1 with the following amendments:

2 On page two, subdivision 4.1.6, by restoring the subdivision
3 to its current language; and

4 On page three, subdivision 4.1.7, following the word
5 "inches" and the period and before the word "Section" by
6 inserting the following words: "Section R313: Automatic Fire
7 Sprinkler Systems, in its entirety, is specifically excluded from
8 the scope of this rule series."