

WEST VIRGINIA
SECRETARY OF STATE
KEN HECHLER
ADMINISTRATIVE LAW DIVISION

Form #3

FILED

OCT 22 9 26 AM '97

OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

NOTICE OF AGENCY APPROVAL OF A PROPOSED RULE
AND
FILING WITH THE LEGISLATIVE RULE-MAKING REVIEW COMMITTEE

AGENCY: State Fire Commission TITLE NUMBER: 87

CITE AUTHORITY 29-3-5b

AMENDMENT TO AN EXISTING RULE: YES XXX NO

IF YES, SERIES NUMBER OF RULE BEING AMENDED: 4

TITLE OF RULE BEING AMENDED: State Building Code

IF NO, SERIES NUMBER OF NEW RULE BEING PROPOSED:

TITLE OF RULE BEING PROPOSED:

THE ABOVE PROPOSED LEGISLATIVE RULE HAVING GONE TO A PUBLIC HEARING OR A PUBLIC COMMENT PERIOD IS HEREBY APPROVED BY THE PROMULGATING AGENCY FOR FILING WITH THE SECRETARY OF STATE AND THE LEGISLATIVE RULE MAKING REVIEW COMMITTEE FOR THEIR REVIEW.



State Fire Marshal for the
State Fire Commission

\$8.40

SUMMARY

The West Virginia State Fire Commission promulgates the State Building Code in accordance with West Virginia Code, Chapter 29, Article 3, Section 5b. The purpose of the State Building Code is to establish rules necessary for the safeguarding of property through the quality of construction of all structures throughout this State.

The State Building Code has adopted the Thirteenth Edition of the BOCA National Building Code, 1996; BOCA International Plumbing Code, First Edition, 1995; BOCA International Mechanical Code, First Edition, 1996; BOCA National Property Maintenance Code, Fifth Edition, 1996; BOCA National Energy Conservation Code, Seventh Edition, 1993; and the CABO One and Two Family Dwelling Code, 1995 Edition.

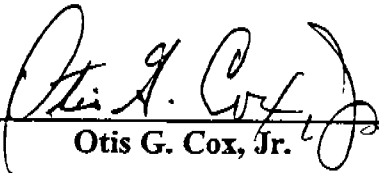
AMENDMENT TO STATE BUILDING CODE

The State Fire Commission proposes to modify the State Building Code specifically pertaining to the stair geometry for one- and two-family dwellings.

WEST VIRGINIA
STATE BUILDING CODE

Rules
of the West Virginia
State Fire Commission

Approved by Secretary, Department of Military Affairs and Public Safety

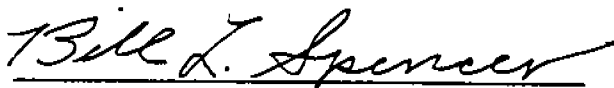


Otis G. Cox, Jr.

August 27, 1997

Date

Approved by State Fire Commission



Bill L. Spencer, Chairman

August 8, 1997

Date

STATE FIRE COMMISSION
1207 Quarrier Street, 2nd Floor
Charleston, West Virginia 25301

TITLE 87
LEGISLATIVE RULE
STATE FIRE COMMISSION
SERIES 4
STATE BUILDING CODE

FILED

OCT 22 9 27 AM '97

OFFICE OF 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 the quality of construction of all structures erected or renovated throughout this state.

1.2 Authority: West Virginia Code 29-3-5b.

1.3 Filing Date:

1.4 Effective Date:

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 Section 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 "Building code" - includes all aspects of safe building construction and mechanical operations and all safety aspects related to building construction and mechanical operations.

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

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

2.4 "Local jurisdiction" - means municipal or county level government.

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

2.6 "BOCA" - refers to the "Building Officials & Code Administrators International".

2.7 "CABO" - refers to the "Council of American Building Officials", 5203 Leesburg Pike, Suite 708, Falls Church, Virginia 22041.

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 BOCA National Plumbing Code section 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 takes precedence.

3.3 Whenever there is a conflict between the "state building code" and statutory laws of the State of West Virginia, the West Virginia Code takes precedence.

87-4-4 NATIONAL STANDARDS AND CODES

4.1 The standards and requirements as set out and as published by the Building Officials & Code Administrators International and the Council of American Building Officials, as listed below, have the same force and effect as if set out verbatim in this rule:

The BOCA National Building Code, Thirteenth Edition, 1996

EXCEPTION TO 1014.6 Treads & Risers: Design and Construction to be in accordance with 1993 BOCA National Building Code, Twelfth Edition for one & two family dwellings.

The BOCA International Plumbing Code, First Edition, 1995

The BOCA International Mechanical Code, First Edition, 1996

The BOCA National Property Maintenance Code, Fifth Edition, 1996

This Maintenance Code may be rejected at the option of the local jurisdiction.

The BOCA National Energy Conservation Code, Seventh Edition, 1993

The CABO One - and Two-Family Dwelling Code, 1995 Edition

EXCEPTION to 314.2 Stairway: Design and Construction of Stair to be in accordance with the 1992 CABO one- and two-family dwelling code.

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

4.1.1.a Group U utility structures and storage sheds comprising an area not more than 150 sq. ft. which have no plumbing or electrical connections and are utilized only for residential storage purposes. (Examples include storage 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 or are used for the storage of explosives or other hazardous or explosive materials.

4.1.2 Exceptions:

4.1.2.a References to the CABO Model Energy Code, 1995 Edition, in the various national standards and codes adopted in this section mean the BOCA National Energy Conservation Code, 1993 Edition, as adopted in this section.

4.2 A copy of the codes listed in Section 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 Building Officials & Code Administrators International, 4051 West Flossmoor Road, Country Club Hills, Illinois 60477-5795, telephone 708/799-2300; or BOCA International Regional Offices, 3592 Corporate Drive, Suite 107, Columbus, Ohio 43231, telephone 614/890-1061.

87-4-5 ADOPTION BY LOCAL JURISDICTION

5.1 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, State Capitol Complex, Charleston, West Virginia 25305, within thirty (30) days of adoption.

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

5.3 Throughout the national codes, as adopted in Section 4.1 of this rule, there are discretionary provisions which require further action by the adopting local jurisdiction in order to adapt these codes to various local conditions. 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".

5.4 Within the penalty sections of each of the national codes, as 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.

5.5 Each of the national codes, as adopted in Section 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."

87-4-6 EXISTING BUILDING CODES

6.1 All building codes which have been adopted by local jurisdictions prior to the passage of West Virginia Code 29-3-5b, are null and void.

APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: State Building Code

Type of Rule: XXX Legislative Interpretive Procedural

Agency State Fire Commission

Address 1207 Quarrier Street, Room 202
Charleston, WV 25301

1. Effect of Proposed Rule

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
ESTIMATED TOTAL COST	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-
CURRENT EXPENSE	-0-	-0-	-0-	-0-	-0-
REPAIRS & ALTERNATIONS	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-

2. Explanation of above estimates:

Non-Applicable

3. Objectives of these rules:

The objective of this Rule is to modify the stair geometry for one- and two-family dwellings.

Rule Title: State Building Code

4. **Explanation of Overall Economic Impact of Proposed Rule.**

A. Economic Impact on State Government.

Modification of -the proposed rule will enable certain industrial enterprises constructing manufactured housing to remain competitive and remain in West Virginia.

B. Economic Impact on Political Subdivisions; Specific Industries; Specific groups of Citizens.

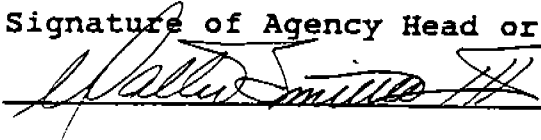
Modification of the proposed rule should provide positive impact for the manufactured housing industry.

C. Economic Impact on Citizens/Public at Large.

Cost of the manufactured housing will remain competitive for citizens/public at large.

Date: 8-27-97

Signature of Agency Head or Authorized Representative



APPENDIX B

FISCAL NOTE FOR PROPOSED RULES

Rule Title: State Building Code

Type of Rule: XXX **Legislative** **Interpretive** **Procedural**

Agency State Fire Commission

Address 1207 Quarrier Street, Room 202
Charleston, WV 25301

1. Effect of Proposed Rule

	ANNUAL FISCAL YEAR				
	INCREASE	DECREASE	CURRENT	NEXT	THEREAFTER
<u>ESTIMATED TOTAL COST</u>	\$ -0-	\$ -0-	\$ -0-	\$ -0-	\$ -0-
PERSONAL SERVICES	-0-	-0-	-0-	-0-	-0-
CURRENT EXPENSE	-0-	-0-	-0-	-0-	-0-
REPAIRS & ALTERNATIONS	-0-	-0-	-0-	-0-	-0-
EQUIPMENT	-0-	-0-	-0-	-0-	-0-
OTHER	-0-	-0-	-0-	-0-	-0-

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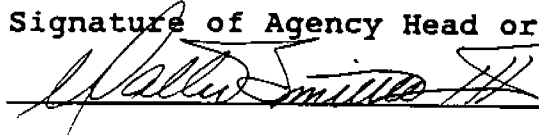
Modification of the proposed rule should provide positive impact for the manufactured housing industry.

C. Economic Impact on Citizens/Public at Large.

Cost of the manufactured housing will remain competitive for citizens/public at large.

Date: 8-27-97

Signature of Agency Head or Authorized Representative





The Department of Military Affairs and Public Safety

BILL L. SPENCER
Chairman
JAMES W. FIFE
Vice-Chairman
KENNETH MORGAN
Secretary

CECIL H. UNDERWOOD, GOVERNOR
OTIS G. COX, JR.
Secretary
STATE FIRE COMMISSION
1207 Quarrier Street, 2nd Floor
Charleston, West Virginia 25301

WALTER SMITTLE III
State Fire Marshal
Phone (304) 558-2191
FAX (304) 558-2537

NEWS RELEASE

The West Virginia State Fire Commission will conduct a public hearing on modifying the State Building Code specifically pertaining to the stair geometry for one- and two-family dwellings.

The public hearing will take place at the State Capitol, East Wing, Room E-215, at 10:00 AM, October 7, 1997. All interested individuals or organizations are encouraged to attend the public hearing or submit written comments by 4:00 PM on October 7, 1997 to: State Fire Commission, c/o Bill Spencer, Chairman, 1207 Quarrier Street, Room 202, Charleston, WV 25301. For additional information, please contact the State Fire Commission at (304) 558-2191, Ext. 210 during regular business hours.

Forwarded to all newspapers, radio and television entities throughout West Virginia,

WEST VIRGINIA STATE FIRE COMMISSION
PUBLIC HEARING

IN RE: PUBLIC HEARING ON PROPOSED REVISION OF THE
WEST VIRGINIA STATE BUILDING CODE --
REVISED STAIR GEOMETRY

The following is a transcript of proceedings had in the public hearing held in the above-styled matter on the 7th day of October, 1997, at the West Virginia State Capitol Complex, East Wing, Room 215, Charleston, Kanawha County, West Virginia, before Sherry M. Lawson, Certified Court Reporter and Notary Public for the State of West Virginia.

PHYLLIS HAYNES EDENS, CCR, INC.
CERTIFIED COURT REPORTERS
Post Office Box 13337
Sissonville, West Virginia 25360
(304) 984-3531

COPY

I N D E X

APPEARANCES:

Francis Guffey, II, Member, West Virginia State
 Fire Commission
 Walter Smittle, III, State Fire Marshal
 L. Darl Cross, Chief Deputy, Fire Marshal's Office

SPEAKERS:

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Steve Snyder	4
David L. Corey, Sr.	10
William "Bucky" Teach	11

Reporter's Certificate.....15

1 MR. GUFFEY: Good morning and welcome. My name
2 is Francis Guffey, FAIA. I'm a member of the State Fire
3 Commission, Chair of the Building Code Committee, Fire
4 Commission, and a registered architect. I will be presiding
5 over this public hearing regarding the revision of the State
6 Building Code stair geometry for one and two family
7 dwellings, which includes manufactured housing. I
8 respectfully request all attendees to sign our register, if
9 you have not done so earlier, and I think everybody has.

10 The public hearing is pursuant to the West
11 Virginia Administrative Procedure Act, and in accordance with
12 the Fire Commission's Notice through the Secretary of State's
13 Office. The public hearing is being recorded by Sherry
14 Lawson. She is a Certified Court Reporter. This proceeding
15 will be presented to the State Fire Commission at the next
16 regularly scheduled business meeting, November 14, 1997.
17 That meeting will be held at the Flatwoods Days Inn if anyone
18 would care to attend. It's starting at 8:30 in the morning.

19 At this time I would like to introduce another
20 member of the State Fire Commission, Jim Fife. It's good to
21 see you here. Also from the Fire Marshal's Office attending
22 today's hearing are Walter Smittle, III, State Fire Marshal;

1 L. Darl Cross, Chief Deputy Fire Marshal.

2 At this time I will request those individuals
3 who have signed the register an opportunity to speak, and you
4 can speak more than once in case you have a rebuttal or
5 something like that or forgot something and wanted to add it
6 after you speak.

7 So I'll call for the adoption of the revised
8 stair geometry. All those that are in favor of the adoption
9 of the revised stair geometry may speak. This is against the
10 revision. No, adoption of the revision. I'm sorry. This is
11 for it.

12 MR. SNYDER: My name is Steve Snyder. I am
13 the Executive Director of the Mid-Atlantic Building Systems
14 Council. I represent the modular housing industry in the
15 Mid-Atlantic states and I lobby on behalf of that industry
16 throughout the northeastern United States. Essentially,
17 anywhere my members might ship we might be involved, and one
18 of the issues that we've gotten very active in is this stair
19 geometry issue, both on the national level at the BOCA and
20 CABO hearings, and in more recent years the newly proposed
21 International Building Code. We're also involved on an
22 individual state level as states proceed to adopt updated

1 model codes.

2 I want to talk a little bit about the BOCA and
3 CABO proceedings, and I want to talk a little bit about the
4 arguments that have been made for and against the new stair
5 geometry. I'd like to tell you a little bit about how those
6 changes affect our modular manufacturers and then I want to
7 tell you a little bit about what the other states have done,
8 and I'll try not to drag this out too long unless there are
9 questions.

10 As I mentioned, we've gotten involved at the
11 National Model Code Group level and let me first say that our
12 industry not only supports National Model Codes, but frankly
13 survives as a result of them. As I mentioned, I represent a
14 group of manufacturers that probably ship, an individual
15 manufacturer, in 16 to 20 different states, so if we had to
16 build to a different code and then local variances in the
17 code for every single one of those states, we almost couldn't
18 survive, and so National Model Codes are a way of life for
19 us. And so this is the first time in the history of the
20 modular housing industry that we've been put in a position to
21 go to the National Level and then again to states and ask for
22 a deviation from the National Model Code and I wanted to get

1 that on the record because, as I mentioned, we really survive
2 as a result of National Model Codes.

3 The proponents of this new stair geometry have
4 argued that a more gradual stair will result in less falls,
5 and then they proceed to lay out a series of studies that
6 essentially review statistical data on stair falls and say
7 that as a result of this data the finding of fact is that a
8 more gradual stair is a safer stair.

9 If you'll look at the data, what the data says
10 is that the population in this country is getting older. The
11 data says that as people get older they tend to fall down
12 more, and the data says that people fall down stairs. And so
13 what you have is there is no argument that accidents in the
14 home, both on flat surfaces and stairs are on the increase.
15 But nowhere in the data is there any conclusive proof that if
16 you make a stair more gradual that people fall downstairs.

17 What the proponents of this new stair geometry
18 have argued is that again there is no data to prove that a
19 more gradual stair is a safer stair, but there is data to
20 prove that it's a more expensive stair, and in our industry's
21 case, a stair that essentially rules out a large portion of
22 the affordable housing product that my members do.

1 What we really find is that stair falls are
2 the result of poor lighting, obstacles or obstructions on the
3 stair, poor hand-railing and graspability in situations like
4 that, and a whole host of other things that can be addressed
5 before you redesign stairs and as a result redesign floor
6 plans.

7 The problem that makes this so critical for
8 the modular housing industry is that my members manufacture
9 homes in specific widths, and these are widths that are
10 designed so that these homes can fit on the highway, frankly.
11 And so what you end up with is that this product that my
12 members manufacture, we ship homes that are one-story, two-
13 stories, capes, and they come in sections that are 12, 14 and
14 16 feet in width ordinarily. And so you take two 12-foot
15 wide modules and put them together and you get a 24-foot wide
16 ranch, or you take four 12-foot modules and you put them
17 together, two on top of two, and you get a two-story
18 colonial.

19 And so what ends up happening is -- And let me
20 say that that 12-wide modular, that 24-wide home, is really
21 the pinnacle of our affordable housing product. And frankly,
22 I represent an industry that gets more and more into the

1 custom work every year, more and more into the high end
2 business every year, but we really -- our meat and potatoes
3 is affordable housing, starter housing, and retirement
4 housing and things like that.

5 And so what we end up with is in this 12-wide
6 module, not only is there a problem with floor space or
7 square footage, but the problem really is that because of
8 what we call the marriage walls, there is not enough head
9 room to get down the stairs. And so what we have to do is
10 either turn the stairs sideways or put a landing in, and in
11 the 12-foot wide module if you turn that stair sideways in an
12 individual module then the adjoining space is essentially
13 unusable space.

14 And so what's happened is in these small and
15 more affordable homes they just won't work. The floor plans
16 just will not work and so what we've essentially done is
17 we've eliminated the entire affordable housing product. We
18 also have to redesign the 14-wides and this is a stair that
19 actually does fit in the 16-wide or the higher end product.

20 So as I mentioned, what we've done is we've
21 gotten active at the BOCA and CABO national level. We've
22 argued against this new stair geometry, and essentially, as

1 everybody knows, we've lost this battle consistently and very
2 frankly, the Model Code groups are really tired of hearing
3 about it. And it's been made clear to us that as we move
4 towards an International Code they're determined to
5 incorporate this 7/11 stair in that code as well. So what
6 we've had to do is go to the states and ask them to make a
7 modification as they adopt an updated code, including the old
8 '92 CABO stair.

9 And I can tell you, as I mentioned, I
10 represent a geographical area that runs essentially from
11 Maine to the Carolinas, and as far west as Ohio, Indiana,
12 Kentucky. That's essentially the area that we're involved in
13 and by this time just about every one of those states has
14 updated their code and I can tell you that there has not been
15 a single state in that geographic area, and not one that I
16 know of in the nation, and I could be wrong there, but there
17 is not a single state in our northeastern and expanded area
18 that has adopted this new updated stair geometry. Every
19 single state has adopted the old CABO 8-1/4/9 stair and West
20 Virginia, as we know, adopted the new stair and has since
21 passed that emergency rule.

22 And so what I'm here today requesting is that

1 the Fire Commission would consider amending the Code
2 permanently so that that could again go through the
3 Legislative rule-making review process to incorporate the old
4 CABO '92 8-1/4/9 stair in the Code.

5 MR. GUFFEY: Thank you, Steve. Anyone else like
6 to speak?

7 MR. COREY: David L. Corey, Sr.. I'm at 375
8 Potomac Heights Road, Falling Waters, West Virginia. I am
9 here today basically twice; one for my business as a small
10 builder in the Eastern Panhandle, and I'm also representing
11 today the Eastern Panhandle Home Builders Association.

12 I'm not going to repeat what Mr. Snyder has
13 just put before you. I've been working on the Code for
14 several years now with the State of Maryland. I am one of
15 two builders on a statewide building code committee for the
16 State. The State of Maryland has eliminated the new stair
17 geometry in favor of the '92 CABO and the '93 BOCA. I'm here
18 today to ask you to do the same.

19 The affordable housing issue, as Mr. Snyder
20 said, is very important. The duplexes that I put up that
21 have approximately 1,000 square foot per side, first time
22 entry level; I cannot use this new stair. I would have to

1 increase the size of the duplex to approximately 1100 to 1200
2 square feet, which is going to up the cost. Affordable
3 housing is an issue.

4 The upscale housing is the over 2,000 square
5 foot range; the stair will work. But the feeling of most of
6 the states on the eastern seaboard, other than West Virginia,
7 they have refused to adopt the new stair geometry and gone
8 back to the '92 CABO and the '93 BOCA. And as Mr. Snyder
9 said, there is no conclusive evidence that safety is a factor
10 and the fact that people fall down stairs. And a lot of the
11 information that I have were studies that were done also on
12 the pre-1960 stairs, which happens to be steeper and
13 narrower.

14 So on behalf of the Eastern Panhandle Home
15 Builders Association and myself as a builder in Berkeley
16 County, I implore you to remove the new stair geometry from
17 the Code and to go back to the '92 CABO and '93 BOCA. Thank
18 you.

19 MR. GUFFEY: Thank you. Next?

20 MR. TEACH: Good morning. I'm William "Bucky"
21 Teach from Berkeley County. I'm representing Berkeley County
22 Commission. As you're probably well aware, we are the ones

1 that really started stirring the pie a little bit. What
2 happened was that when the Code was adopted locally the
3 builders came out of the woodwork and came before the County
4 Commission and essentially the County Commission "unadopted"
5 our adoption of the State Building Code because of the
6 ramifications and the local pressure that they were getting.

7 The County Commission feels that the Code is
8 a necessary entity and feels that it has benefitted the
9 citizens of Berkeley County. However, we do have an industry
10 there, both the manufactured home industry and the stick
11 built home industry, who felt that this was a rather quick
12 and dramatic change to their industry. Essentially what it
13 did was it went from allowing a 12-foot wide unit to
14 requiring an over 14-foot wide unit, and we saw that both
15 with the stick built and the manufactured homes.

16 We do have an industry there, a manufactured
17 housing industry, located in Berkeley County which ships to
18 four states; West Virginia, Maryland, Pennsylvania and
19 Virginia. We were the only state that had adopted the
20 current geometry. What that would have required them to do
21 would have been either to do one of two things: Either to
22 set up a separate set of gigs in their manufacturing plan for

1 West Virginia houses, or not ship to West Virginia, or to
2 completely change all the gigs for all three states. That
3 would have been a costly proposition and it would have been
4 something that essentially would have put them out of
5 business there for about three months in order to be able to
6 change the gig arrangement and everything.

7 What we are asking for is that the State Fire
8 Commission go ahead and adopt the 1992 stair geometry, at
9 least for this term of Codes, and look at it again when we
10 are ready to adopt the next session. That way we will have
11 additional information possibly from the states who have
12 adopted the information at this point in time and compare it
13 to the states who have not adopted it so we can get some
14 statistics as to stair accidents.

15 The other thing that it would do is also give
16 the industry the notification that it is going to come and
17 give them time to look at it and adopt it.

18 Thank you.

19 MR. GUFFEY: Thank you. Is there anyone else
20 that would like to call for the adoption of the revised stair
21 geometry?

22 (WHEREUPON, there was no response.)

1 MR. GUFFEY: Anyone opposed to the adoption of
2 the revised stair geometry, that they would like to speak?

3 (WHEREUPON, there was no response.)

4 MR. GUFFEY: Are there any others here who would
5 like to speak on any other aspects of the State Building
6 Code, not necessarily the stair geometry?

7 (WHEREUPON, there was no response.)

8 MR. GUFFEY: Would anyone like to speak about
9 anything while we're here? It's in here. I'm reading this.

10 (WHEREUPON, there was no response.)

11 MR. GUFFEY: Hearing none, I thank everyone for
12 attending and this public hearing is adjourned.

13 (WHEREUPON, the public hearing
14 was concluded at 10:19 a.m.)

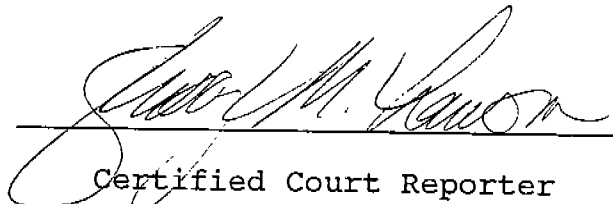
REPORTER'S CERTIFICATE

STATE OF WEST VIRGINIA,
COUNTY OF KANAWHA, to wit:

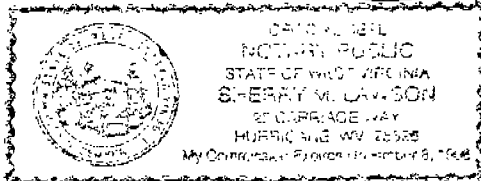
I, the undersigned, Sherry M. Lawson, Certified Court Reporter and Notary Public, do hereby certify that the foregoing is, to the best of my skill and ability, a true and accurate transcript of all the testimony adduced or proceedings had in the aforementioned hearing, as set forth in the caption hereof.

Given under my hand this 17th day of October, 1997.

My commission expires November 8, 1998.


Certified Court Reporter

Notary Public





**EASTERN PANHANDLE
HOME BUILDERS
ASSOCIATION**



A MEMBER OF THE HOME BUILDERS ASSOCIATION OF WEST VIRGINIA

Post Office Box 1706 ■ Martinsburg, West Virginia 25402 ■ Phone/Fax: (304) 267-4710

September 23, 1997

RECEIVED

SEP 25 1997

STATE FIRE COMMISSION
STATE FIRE MARSHAL

Mr. Bill Spencer
Chairman
State Fire Commission
1207 Quarrier Street, Room 202
Charleston, WV 25301

Dear Mr. Spencer:

Please find enclosed a petition in support of the Emergency Rules filed by the Fire Commission regarding the State Building Code stair geometry requirement. We would ask that these be included with the written comments for the hearing on this matter scheduled in October.

Sincerely,

David Hartley
Executive Officer

cc: Sally Johnston, EPHBA President

A Building Force.

PETITION

We the undersigned, as interested parties in the home building industry, support the proposed changes in the State Building Code regarding requirements for stair geometry to the previous 92 CABO Code for one and two-family dwellings which specifies a minimum rise of 8 1/4 inches and minimum tread width of 9 inches.

Name	Company	Address	Phone
Brenda Young	Town + Country	1434 Edwin Miller	263-0814
Pat Sperlazzo	WestVa Cont Serv.	211 Lawson St	262-9500
Linda Holt	Northwest	1314 Edwin Miller	263-8111
Jimmy S. Huffer	BAB	P.O. Box 2569 Mtbg	264-4500
John A.	OVB	Rt-1 Box 1339 Mtbg	264-8010
Charlene C. Williams	Allegheny Power	Wilson St, Martinsburg, WV	267-3256
Larry W. Birkell	Larry Birkell Inc	POB 839 Shepherdson ²⁵⁷⁴²	876-2916
John C. Foster	Arnold Foster	P.O. 590 MARTINSBURG	264-0234
John Sutt	Assoc. Bldg. Mktg.	101 Cliff Dr Martinsburg ²⁶⁷⁰⁶ WV	262-4474
John + Tracy Bailey	Inner Space		301-733-8933
Donny	Blue Ridge Bk	PO Box 2569 Martinsburg WV	264-4500
Paul	MDG Companies	PO Box 707 ^{Bentley} WV	304 258 6095
Randy Gillin	Home Fed.		1-800-225-8253X181
David Gray	Lansdale Builders	375 Reform Hts	304-274-0178
William J. Wynn	Potomac Valley Prop., Inc.	P.O. Box 5, Hedgesville	304-754-8250
Ronda Clouse	Potomac Valley Prop. Inc.	P.O. Box 5 Hedgesville	304-754-3358
Craig Norman	NEWBRADW LUMBER	572 S GA	263 9731
Donald Holt	NEWBRADW LUMBER	PO Box 4	304-496-8980
Tom Cummings	Oae Valley Bank		258-4596
Barbara S. Hales	WARRICK	P.O. Box 2751	263-8902
Kenny R. New	NEWBRADW LUMBER	212 S Rosemont	263-5556

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Name	Company	Address	Phone
Paul Smith	Laurel Assoc.	Rt. 5 Box 1283	535-6663
Non Smith		P.O. Box 1463 Shepherdson	267-3870
Paul Keller		" " " "	" "
Jerry Huchins	Jay Sea Bank		264-0900
Don Laelle	LAELLE ASSOC.	334 E 2ND ST FRED MD	(301) 694-3564
John Jacks	A.E.S.I.	412 W. KING ST. MTAIN BRG	267-8895
Rachel Doyett	Apertec & Shim	279 Morgan St.	229-9776
Bud Kulan Jr.	ALC HOMES		306-540-1778
Jim Thompson	PANHANDLE HOMES	Rt 2 Box 165-G	304 267-3901
PAUL ESTINOSA	CLR TV CABLE	302 N. MILOREO ST.	304-725-9185
Mark S. Mize	Shenandoah Bldg Supply	195 Lenoir Dr. Winchester VA	540-662-9162
SAMIE YATES	Cedar Creek Builders	Hedgesville WV	754 9649
TERRY L. MARCUS	MARCUS ENTERPRISES	CHARLES TOWN, WV 608 E. WASH. ST.	725-7233
BARRY GRIMM	"	"	"
JOHN MYERS	JOHN MYERS INC.	2614 STATE ST. WASHINGTON	202-3-2141
Mary Crawford	One Valley	Rt 6 Box 540 Hedgesville	264-8013 754-7428
Paul Hinkle	301 One Valley	301 S Maple Ave Mtbg	264 8069 25401
Page Rudetti	Potomac Housing Developers Inc.	PO Box 1056 Mtbg	25402
Mary Jo	Panhandle Home ABC		274-1286
Jerry Garrison		Rt. 1 Box 458, Harpers Ferry WV	728-1089
James W. Loggins		2212 Millpoint Mtbg WV	25401

