

Virginia Fire Services Board

Fire Prevention and Control Committee

Thursday, September 25, 2025

Hotel Madison

710 S. Main Street, Harrisonburg, VA 22801

9:30 AM

MINUTES

A meeting of the Fire Prevention and Control Committee was held at the Hotel Madison in Harrisonburg, Virginia. The meeting was called to order by Committee Chair Steven Sites and a quorum was present.

COMMITTEE MEMBERS PRESENT

Steven Sites, Committee Chair – Virginia Municipal League
Keith Johnson – Virginia Fire Chief’s Association
Gerry Maiatico – Virginia Fire Prevention Association
Billy Hanks – Local Fire Marshal
John Miller, designee – Virginia State Forester
Carla Keesee – Virginia Chapter of the International Assoc. of Arson Investigators
JM Snell II – Virginia Board of Housing and Community Development
Todd King – Virginia Association of Counties

COMMITTEE MEMBERS ABSENT

AGENCY MEMBERS PRESENT

Nicholas Nanna, Deputy Director
Billy Hux, State Fire Marshal
Michael Parris, Deputy Chief – Training and Operations
Zeina Altaha, Grants and Aid Manager
Spencer Willett, Government Affairs Manager
Greg Cavalli, Policy Analyst

GUESTS PRESENT

Lee Williams
Joe Kirchner

CHANGES IN THE AGENDA

No reported changes to the agenda.

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PUBLIC COMMENTS

There were no public comments.

CONSENT AGENDA

Motion: Approval of the minutes of the previous meeting (March 2025)

Motion: Johnson **Second:** Snell

Discussion on the Motion: None

Vote: Unanimous

Action: Minutes approved.

REPORT FROM THE VIRGINIA STATE FIRE MARSHAL

State Fire Marshal Billy Hux presented. The State Fire Marshal's Office (SFMO) is in the process of onboarding four new fire marshals in Divisions Two, Three, Four, and Six. SFMO Special Operations is redeveloping the blaster certification as the Community College Workforce Alliance had notified SFMO recently that the community colleges would no longer offer in-person testing for the blaster certification. The pyrotechnician certification has been offered online for about four years now and the intent is to do the same with blasters.

SFMO is in the process of evaluating three new database solutions to replace Imagetrend with a goal of having a final decision made by the second week of December. This will allow for an implementation period of up to a year and eight months prior to the end of the current Imagetrend contract.

Chief Hux thanked Spencer Willett and Greg Cavalli for their work on the State Fire Marshal's Office Fees Report, which was submitted to the Department of Housing and Community Development last week. He also noted an increase in Special Operations' workload with more colleges and universities incorporating pyrotechnics at football games.

For the Virginia Fire Marshal Academy, there is a 1033 investigator class that began on Monday in Warren County. The office is evaluating a VMFA facilitator position to facilitate in-person instruction and provide support to instructors. Finally, the office is working to implement the new National Fire Protection Association (NFPA) 1030 standard in December that allows students to only take the Inspector 1 program instead of needing both one and two. There were no questions for Chief Hux.

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CODES AND STANDARDS WORKGROUP UPDATES

Workgroup Chair Andrew Milliken provided an update on the code process. The workgroup met in June, July, and September. Regarding the changes to tents and membrane structures, the proponent decided to withdraw the proposal based on feedback the group provided.

On the single-exit stairway proposal, the Codes & Standards Workgroup decided to support the revised proposal, and he wanted to explain to the board the reasoning behind the workgroup's decision. Currently, small footprint apartment structures, typically four to six stories, are required to have two exit stairways. Workgroup Chair Milliken highlighted that the revised proposal would allow a single exit up to four stories, while elsewhere in the country more localities are permitting single-exit for stories five and six. The requirements of the new proposal are consistent with the upcoming changes for International Building Code standards taking effect in 2027. This also will keep the change within the code development process rather than direct legislation, which would reduce the board's influence.

Also of interest to the fire service is a proposal to remove elevator size requirements to hold a stretcher up to four stories. The workgroup opposes this strenuously. Workgroup Chair Milliken expects this proposal to make it to the Board of Housing and believes that board meeting will be a good opportunity for members of the fire service to make their opinions of this known. He informed the board that there are upcoming code development meetings the next day and on October 3. The last day to submit proposed changes is October 10.

Keith Johnson mentioned that single exit stairs are a hot topic nationally as well as in Virginia. His belief is that if there is no compromise on this proposal, it increases the chances this goes to legislation. He stressed the need to protect the interests of the fire service in their efforts on this. He noted the extensive efforts of Milliken in Codes & Standards and thanked him for his work. Chair Sites concurred. Regarding single exit stairs, he noted that the proponent had received criticism from the fire service on the subject. The proponent has revised the proposal according to the voiced concerns by the fire service, incorporating most of the changes suggested. He states that the proposal is not perfect, but that agreeing to this proposal will help ensure the best outcome under the circumstances, and better than what legislation would likely result in. In many states, this is allowed for up to six stories. Virginia is only adding one additional story. Emergency escape windows were added, which had not been required. JM Snell noted that the

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Board of Housing and Community Development agreed to extend the deadline for proposals to October 24 or October 31.

COMMENTS FROM THE COMMITTEE CHAIR

Chair Sites noted that this committee does not always have much business to discuss. But, with the ongoing code development process, it is beneficial to hear the information provided by the Codes & Standards Workgroup. It is a critical part of the Virginia Fire Service Board's (VFSB) work.

UNFINISHED BUSINESS

No unfinished business.

NEW BUSINESS

a. Report on Fees Assessed by the State Fire Marshal's Office

Spencer Willett detailed how the General Assembly asked for a report last year from the agency on the SMFO's inspection fees. This year the General Assembly asked for the same report but requested that the Department of Housing and Community Development (DHCD) and BHCD have input in the process. This report was included in the board packet. The code language requires that there be joint recommendations from both boards. In discussions with representatives of DHCD, the suggestion was made to have a few members of BHCD meet with a few members of VFSB to decide on recommendations.

Greg Cavalli explained this year's report, while basically the same as last year's, was updated with current data. The fees have not changed since 2009, while the cumulative increase in inflation over that period is 50.58%. This has eroded the purchasing power of the money accrued by SFMO's fees. Due to the deficit incurred by the inspection program, SMFO has for years had to leave positions vacant to operate within its budget. This year's report also noted that the allocations from the General Fund to SFMO have remained flat over the years.

Willett stated that the report accordingly made three recommendations. One is to begin charging a fee for general fire inspections and reinspection. Local fire marshals could do this, but SFMO cannot in the 63 counties in which they are responsible for enforcing the Statewide Fire Prevention Code (SFPC). The second is to adjust all the fees based on the cumulative rate of inflation since 2009. The final recommendation is to move the authority to set fees from the BHCD to the VFSB. VDFP's research found that this is the only agency that has its fees set by a

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board from a separate agency in a completely different secretariat. This is a remnant of the SFMO having been part of DHCD until 2008. This last recommendation will likely receive some pushback, which is why he expects the need to convene a conference committee between the two boards to negotiate a jointly agreed-upon solution.

Chair Sites added the State Fire Marshal is the fire official for 63 localities. Every other local fire official is allowed to set fees based on the table in Chapter 1 of the administrative section of the SFPC. Chief Hux cannot even use this table. The SFMO fees are spelled out specifically in a later section of the Code. Code changes are a very cumbersome process compared to what every other fire official can do. He said that he, as the fire official for the City of Fairfax, can ask city council for fee changes. Johnson noted that a proposal to change the fees in 2021 was denied, so just bringing it to the BHCD is no guarantee of getting changes approved. Gerry Maiatico said this is also of interest to many localities like Warren County, which sets its fees at 75% of the SFPC fees for SFMO inspections. His county did so to show that enforcing the SFPC as a locality would be less expensive than having the state enforce it. A consequence of this, however, is that they cannot raise fees without the state also raising fees, so this issue is very consequential for them. Chair Sites requests that Johnson, as VSFB Chairman, appoint two members of this Board to serve on a committee with BHCD. He also asked that staff, likely Chief Hux, be involved in the proposed group. A motion is not needed for this meeting and may be made in the full board meeting.

Snell asked about Department of Social Services (DSS) facility inspections. He noted that SFMO lost a contract from the Department of Health in 2020 for Federal Life Safety Code inspections, which provided a significant revenue stream, and asked if those represent a financial burden for the SFMO. Chief Hux replied that the burden of those inspections was removed when the contract was not renewed. Snell next asked Chief Hux about the reference in his letter to SFPC Section 104.2, about localities that have not enforced SFPC, and if that represents the majority of SFMO's burden. Chief Hux answered that it is. Snell asked if the burden from 104.2 was more of a General Assembly funding issue than a fees issue. He lauded the VDFP report and stated that one reason why the code change proposal from the 2021 cycle was not adopted was that the proposal did not furnish data such as what is found in this report. The charge from the General Assembly specified that the boards work together and give the report by October 17, to give them time to prepare for the upcoming session in January. There are three options but there might need to be a fourth, General Fund money. Willett mentioned that research for the report did look at the General Fund dollars and found that it has been flat in raw dollars and decreased when factoring in the cumulative rate of inflation from 2009. The General Assembly

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made it clear to him and Director Creasy that the intent was not to increase General Fund appropriations. Chief Hux noted that the General Fund was never intended to fully fund the SFMO. Chair Sites pointed out that, in most localities, the fees are to cover the cost of operations. There has always been this gap in SFMO's budget.

ADJOURNMENT

Clerk of the Committee
Greg Cavalli

Minutes completed by Greg Cavalli

Documents related to this meeting of the Virginia Fire Services Board may be requested by contacting the Government Affairs Division by emailing PolicyOffice@vdfp.virginia.gov

