

Virginia Fire Services Board

Fire Prevention and Control Committee

Tuesday, December 2, 2025

Department of Fire Programs

1005 Technology Park Drive, Glen Allen, VA 23059

10:30 AM

MINUTES

A meeting of the Fire Prevention and Control Committee was held at the Department of Fire Programs in Glen Allen, 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
Billy Hanks – Local Fire Marshal
John Miller, designee – Virginia State Forester
JM Snell II – Virginia Board of Housing and Community Development
Todd King – Virginia Association of Counties

COMMITTEE MEMBERS ABSENT

Gerry Maiatico – Virginia Fire Prevention Association
Carla Keesee – Virginia Chapter of the International Assoc. of Arson Investigators

AGENCY MEMBERS PRESENT

Nicholas Nanna, Deputy Director
Joshua Davis, Assistant State Fire Marshal
Greg Cavalli, Policy Analyst

GUESTS PRESENT

Lee Williams

CHANGES IN THE AGENDA

No reported changes to the agenda.

PUBLIC COMMENTS

There were no public comments.

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CONSENT AGENDA

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

Motion: Hanks **Second:** Miller

Discussion on the Motion: None

Vote: Unanimous

Action: Minutes approved

REPORT FROM THE VIRGINIA STATE FIRE MARSHAL

Assistant State Fire Marshal Joshua Davis presented. The State Fire Marshal's Office (SFMO) was successful in defending an appeal of a pyrotechnics license revocation from a pyrotechnics company on November 21, 2025. The SFMO submitted three code proposals to the Board of Housing and Community Development (BHCD) as part of the code development cycle. Class A uniform fitting has been completed. State Fire Marshal Billy Hux, along with Greg Cavalli, Steve Sites, and Gerry Maiatico, met with representatives of BHCD to discuss the fees report and work towards a joint recommendation. Chief Hux, Government Affairs Manager Spencer Willett, and Board Chairman Keith Johnson met with Delegate Rip Sullivan and his staff to discuss National Fire Protection Association (NFPA) 855, and potential legislation covering energy storage systems in the 2026 General Assembly session. The consumer fireworks testing program for the 2026 statewide permissible list begins this month. The blaster's exam will be offered online as it is no longer offered in person. It should be available in January 2026. The Virginia Fire Marshal Academy (VMFA) 1031 inspection class finished in Hanover on November 14 with 21 of 22 students passing. VFMA's basic law enforcement, held at Fort Pickett, finished November 21, with all 19 students passing. The first VMFA programs of 2026, a 1033 class in the City of Suffolk and a 1031 in the City of Roanoke, have been opened for registration.

CODES AND STANDARDS WORKGROUP UPDATES

Workgroup Chair Andrew Milliken provided an update on the code development process. The workgroup last met on November 18. Milliken believes that the group had success in working with the BHCD sub-workgroup. The last meeting of the BHCD General Stakeholders Workgroup will be held on December 11-12. Some of the key proposals to be discussed in those meetings will be ones addressing electric vehicle charging stations, fire extinguisher updates to bring the Statewide Fire Prevention Code in line with the International Fire Code, in-building emergency responder communication enhancement proposal, increasing the continuing education requirements for technical assistants, and the SFMO fee adjustment proposals. There has been a late proposal submitted for extending single-exit stairways to six stories. Other

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proposals include the approval of plans for photovoltaic panels on roofs and eliminating the requirement that elevators in buildings between four and six stories be large enough to hold a stretcher. Workgroup Chair Milliken encouraged the group to attend the BHCD meetings on December 11 and 12.

Chair Sites asked about the late single-exit stairway proposal. Workgroup Chair Milliken said that it was submitted at the last minute and read as somewhat inconsistent and contradictory. He noted some issues with it from a code standpoint, as well as his concerns about it leaving open the possibility for more than six stories. Chair Sites asked if it is not in line with previous consensus proposal. Workgroup Chair Milliken said that it is not and indicated it was never discussed in workgroup sessions.

Johnson added background on the single-exit stairway topic. He stated that this proposal from homebuilders disregarded the work that was done to find consensus. He said that it concerned him that there was over a year of work involved in the consensus proposal that the homebuilders want to discard.

Chair Sites thanked Workgroup Chair Milliken for his work with the extended proposal deadline and also encouraged members to attend the upcoming BHCD meetings.

COMMENTS FROM THE COMMITTEE CHAIR

Chair Sites noted that this committee does important work, particularly at this time when the code development cycle is ongoing, and he thanked the members of the committee for their work.

UNFINISHED BUSINESS

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

Chair Sites asked Virginia Department of Fire Programs (VDFP) Policy Analyst Greg Cavalli about the meetings between members of the Board and BHCD, as well as representatives from VDFP, the Department of Housing and Community Development (DHCD), and the State Fire Marshal to finalize the SFMO fees report. Cavalli replied that the report had three recommendations, and the meetings did not produce a consensus on two of them. There was some agreement on the third, to add new fee categories, but some revisions were needed based on the discussions with BHCD, primarily to define what kinds of General Fire Inspections would be charged fees. Johnson asked Sites for more information on the nature of discussions held between VFSB and BHCD. Sites

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discussed the differences between the abilities of local fire marshals and state fire marshals. Local fire marshals can set inspection fees in conjunction with their locality. SFMO does not have that ability to adjust fees outside of the code development process, and fees remained largely unchanged for a long time. His preference is to bring authority over to VFSB but is willing to agree to the consensus option as a first step. Johnson added, for members who did not know, that SFMO used to be under DHCD but when it moved to VDFP the authority did not move accordingly. He noted that it is in different secretariat altogether, which is problematic. Johnson hopes changes will be made based on the report, and he said that last code cycle's SFMO fee proposal was denied.

JM Snell asked about the changes in the most recent draft of the report, which Cavalli read to the committee. Snell asked Chair Sites if he agrees with the revisions. Chair Sites said that he does, and Cavalli added that Chief Hux agrees with them as well. Cavalli stated that the removal of the two non-consensus recommendations was at the request of BHCD. Johnson asked why the Board is voting on the report now when it did not vote when the report was presented to the Board in September. He does not agree with removing the other two recommendations and said he does not support the report without including them. Chair Sites said that the BHCD representatives refused to support leaving the other two recommendations in the report. Cavalli added that he originally left all three in the report with language indicating that one was a consensus recommendation and the other two were non-consensus.

Spencer Willett said that the budget language which requested the report directed the agency to find joint recommendations with BHCD. The report is already late, which is not the doing of VDFP. At this point there is a risk of not submitting the report at all. He noted that last year's report was never submitted. He acknowledges that approval of the report is at the Board's discretion, but that both boards need to agree on the recommendations. VDFP attempted to leave all recommendations in the report but that was rejected. An option is to say, perhaps in a letter, that consensus could not be reached, but he cautioned that the General Assembly would not look favorably on that. If there are changes today, those will need to be approved at the December 8 BHCD meeting. Johnston noted that there is no guarantee that this gets approved by BHCD. Willett agreed and noted the significant delays experienced by VDFP from the DHCD. Sites asked Davis, with Chief Hux absent, if he believes that SFMO would want to put recommendations back in and indicate no consensus. Davis said that Chief Hux did not provide him with any specific answer to that, but that he has experience with the fee

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issue. He said that the directive from the General Assembly was to come up with a consensus. He does not believe that consensus had been reached.

Johnson stated that not everything in the report must be agreed to by the Board, or by BHCD, and that is why all options, both consensus and non-consensus, should be included. Willett said that was the original opinion of the agency, but that BHCD and their counsel said the boards need to agree on what is in report. Ultimately, Director Brad Creasy will make the decision whether to submit the report or not.

Snell said that ultimately the fee increase is decided by BHCD regardless of the VFSB's vote. If Chief Hux agreed to the compromises, without knowing if BHCD will endorse, he supports endorsing this. Moving the authority to set fees can still be a goal but fees should be adjusted now. Deputy Director Nicholas Nanna stated that, in conversations with Director Creasy, he suggested that the report submission could include a transmittal letter that outlined the non-consensus recommendations. Deputy Director Nanna added that the structure of another agency in another secretariat setting the fees for SFMO is a failure. At some point, he said that issue needs to be raised at a higher level. Johnson said that he does not want to derail this process and agrees that a letter is worthwhile. Sites would like that letter to come from VFSB as well as VDFP.

Motion: To adopt the State Fire Marshal's Office Report Assessing Options for Increasing Fees for Fire Inspections as submitted

Motion: Snell **Second:** Johnson

Discussion on the Motion: None

Vote: Unanimous

Action: Report approved for the Board

Motion: VDFP staff draft a letter presenting the non-consensus recommendations discussed during the drafting of the State Fire Marshal's Office Report Assessing Options for Increasing Fees for Fire Inspections

Motion: Sites **Second:** Johnson

Discussion on the Motion: None

Vote: Unanimous

Action: Recommend to the Board that a letter be drafted by VDFP staff to detail the non-consensus recommendations

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NEW BUSINESS

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

