VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Division of Building and Fire Regulation
State Building Codes Office
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STATE BUILDING CODE TECHNICAL REVIEW BOARD

INTERPRETATION BOOKLET

Containing Interpretations Applicable to the 2021 Editions

of the

Virginia Uniform Statewide Building Code

and the

Virginia Statewide Fire Prevention Code

September 2026

PREFACE

The Virginia State Building Code Technical Review Board (Review Board) is a governor-appointed board within the Virginia Department of Housing and Community Development. The board is responsible for hearing appeals arising under the application of the Virginia Uniform Statewide Building Code (USBC), the Virginia Statewide Fire Prevention Code (SFPC) and other building and fire-related regulations of the Department. As a secondary function, the Board interprets the provisions of the USBC and the SFPC and makes recommendations to the Virginia Board of Housing and Community Development for future modification, amendment or repeal of such provisions.

The interpretation booklet contains those interpretations of the Review Board which are still applicable to the code in effect at a given time, rather than a compilation of all interpretations ever issued by the Review Board. The older interpretation booklets and compilations may be reviewed in connection with existing buildings or situations and are therefore still available from the Department, on its website and on the websites of organizations involved in building and fire-code related activities. However, the interpretations in this booklet are those applicable to the 2018 edition of the USBC and the SFPC. Interpretations which were issued under a previous edition of the code, but which are still applicable to the current code, have been editorially changed to correct section references and terminology.

As additional interpretations are issued by the Review Board, they will be posted on the Department's website. Interpretation requests may be submitted by any code official. If requests are submitted by personnel other than a building or fire official, then the appropriate official will be contacted to assure the request is desired. If an appeal situation exists or potentially exists, then the Review Board may not consider the interpretation request.

Interpretation requests may be submitted by any code personnel with approval from the corresponding Building, Maintenance, or Fire Official on a form available on the Department's website. Inquiries or assistance may be obtained by contacting the Review Board staff within the State Building Codes Office, Department of Housing and Community Development, 600 East Main Street, Suite 300, Richmond, Virginia 23219, or by calling (804) 371-7150.

INTERPRETATIONS
of the
2021 USBC Part I – Virginia Construction Code (VCC)

Code of Virginia §36-99
Code Interpretation No. 3/2024
First Issued: 04/19/24, 2021 Edition

QUESTION #1: Is the Building Official responsible for enforcing §36-99(B)(1-3)?

ANSWER: No, because the scope of the VUSBC and the authority of the building official are limited to those codes and regulations promulgated by the Board of Housing and Community Development.

VCC Section 102.3
Code Interpretation No. 1/2019
First Issued: 05/17/19, 2015 Edition

QUESTION #1: Are equipment, wiring, and support structures that will be under the control of an electric company exempt from the USBC?

ANSWER: Yes, as long as the equipment, wiring, or support structures in question are located on property for which the electric company has rights of occupancy and entry.

> *Note: No exempt equipment, wiring, or support structure may create an unsafe condition prohibited by the USBC.*

QUESTION #2: Are equipment, wiring and support structures that are under the control of an electric company, but are located on property that is leased, exempt from the USBC?

ANSWER: Yes, exempt equipment, wiring and support structures can be located within utility rights of-way, land owned or leased by the electric company, or on property that the electric has rights of entry and occupancy.

> Note: *No exempt equipment, wiring, or support structure may create an unsafe condition prohibited by the USBC.*

QUESTION #3: Are equipment, wiring or support structures that are installed by a contractor or an entity other than the electric company, but the electric company will control the equipment, wiring or support structures once they are installed and will have rights of occupancy and entry to the property, exempt from the USBC?

ANSWER: Yes, regardless of who installs wiring, equipment or support structures, if they will be controlled by the electric company upon completion, they are exempt from the USBC and permits are not required.

> **Note:** *No exempt equipment, wiring, or support structure may create an unsafe condition prohibited by the USBC.*

QUESTION #4: Are equipment, wiring or support structures that are under the control of the electric company and the electric company maintains rights of occupancy and entry to the property, but the wiring, equipment or support structures are being maintained and operated by a contractor or an entity other than the electric company, exempt from the USBC?

ANSWER: Yes, if the electric company utilizes a 3rd party contractor to operate or maintain wiring, equipment or support structures, but the electric company maintains control, the wiring, equipment or support structures in question are exempt from the USBC.

> **Note:** *No exempt equipment, wiring, or support structure may create an unsafe condition prohibited by the USBC.*

QUESTION #5: Are equipment, wiring and support structures that are under the control of an entity that is not an electric company exempt from the USBC?

ANSWER: No.

> **Note:** *No exempt equipment, wiring, or support structure may create an unsafe condition prohibited by the USBC.*

VCC Section 102.3
Code Interpretation No. 2/2019
First Issued: 11/15/19, 2015 Edition

QUESTION: Is a permit required to add, upgrade, or replace an antenna on an existing cell tower?

ANSWER: No, a permit is not required to add, upgrade, or replace an antenna on an existing tower because it is exempted from the code, as long as it does not create an unsafe condition prohibited by the USBC.

> *Note: For example, if you are increasing the structural load on an existing tower by adding, upgrading, or replacing an antenna on the existing cell tower, you may be creating an unsafe condition prohibited by the USBC.*

VCC Section 102.3 and 202
Code Interpretation No. 4/2022
First Issued: 09/16/22, 2018 Edition

QUESTION: Is a building located on a farm where hemp is grown and harvested, that operates as a laboratory to enhance or extract by-product of this hemp, exempt from the building code in accordance with the 2018 Virginia Construction Code Section 102.3 Exemptions and Section 202 Definitions?

ANSWER: Yes.

VCC Section 202
Code Interpretation No. 6/2026
First Issued: 08/21/26, 2021 Edition

QUESTION #1: Is a tower or mobile crane temporarily erected for the purpose of constructing a building considered a structure under the USBC?

ANSWER: No. However, the footing and foundation of a tower crane is an assembly of materials forming construction for use meeting the definition of STRUCTURE in the USBC; therefore, the footing and foundation of a tower crane would be regulated by the USBC.

QUESTION #2: Is a tower or mobile crane temporarily erected for the purpose of constructing a building regulated by the USBC?

ANSWER: No, because a tower or mobile crane do not meet the definition of a BUILDING in the USBC.

VCC Section 104.1
Code Interpretation No. 2/06
First Issued: 06/20/08, 2006 Edition

QUESTION: In jurisdictions which have not elected to enforce the Virginia Maintenance Code, does the third paragraph of Section 104.1 give authority to investigate complaints of immediate and imminent threats to the health and safety from any complainant rather than just complaints by a tenant of a residential rental unit that is the subject of such complaint?

ANSWER: No, this provision would only apply to enforcement actions under the previous paragraph unless the locality has elected to enforce the Virginia Maintenance Code.

VCC Section 106.2 and 113.7
Code Interpretation No.1/2020
First Issued: 01/22/21, 2015 Edition

QUESTION #1: Is the elevator inspector, approved by the VCC Sections 106.2 or 113.7, and VMC Section 104.5 required to witness either virtually, in-person, or by other approved means the acceptance or periodic tests of elevators, escalators, or similar conveyances?

ANSWER: Yes.

QUESTION #2: Does the code official have the authority to waive the witnessing of tests pursuant to the question #1 above?

ANSWER: No.

VCC Section 108.1
Code Interpretation No. 05/2026
First Issued: 07/17/26, 2021 Edition

QUESTION #1: Would alterations to existing underfloor spaces such as sealing of vents and application of vapor retardant materials require application for permit in accordance with VCC 108.1?

ANSWER: Yes, because you are changing the original ventilation system for the crawlspace.

VCC Section 112.2, 112.3, 403.3 (VFPC)/G2414.3 (VRC),
and 404.17.1 (VFGC)/G24151.17.1 (VRC)
Code Interpretation No. 1/2022
First Issued: 02/11/2022, 2018 Edition

QUESTION: Is PEX-AL-PEX pipe, listed under ICC-ES Product Certificate PMG-1588, and proposed for use as fuel gas piping within or under a building, at least equivalent in safety and suitability, to other pipe materials listed for such use in the Virginia Fuel Gas Code and the Virginia Residential Code?

ANSWER: No, the VFGC and VRC require polyethylene plastic pipe and tubing used for fuel gas to conform to ASTM D2513 and aluminum-alloy pipe and tubing used for fuel gas to conform with ASTM B241 (or B210). PEX-AL-PEX does not conform to either of these standards.

VCC Section 113.1.3 and 113.8
Code Interpretation No. 2/2024
First Issued: 02/16/24, 2021 Edition

QUESTION: Pursuant to VCC Sections 113.1.3 and 113.8, can a building official require Virginia Department of Health approval prior to conducting the final inspection?

ANSWER: Yes.

VCC Section 202 (Definition of "night club")
Code Interpretation No. 1/09
First Issued: 06/17/11, 2009 Edition

QUESTION: How do you apply the "main use" terminology in the definition of night club?

ANSWER: Determining the main use of a structure is a factual question to be made at the discretion of the local official.

VCC Section R302.7
Code Interpretation No. 1/2021
First Issued: 03/19/21, 2015 Edition

QUESTION: If open stud framing has been installed without drywall or other covering under the stairway in an unfinished basement, is the area considered enclosed?

ANSWER: No.

VCC Section R310.3 and 313.3
Code Interpretation No. 1/2024
First Issued: 02/16/24, 2021 Edition

QUESTION: Does a single-family dwelling (R5) that is used as a family day home per VCC 2021 section 313.3 with more than 5 children remain a R5 use group under VCC 2018 Section 310.6 #3?

ANSWER: Yes. provided the structure meets the definition of family day home in §22.1-289.02, which allows a R5 to have up to 12 children.

VCC Section 313.2.6
Code Interpretation No. 2/2026
First Issued: 07/17/26, 2021 Edition

QUESTION: How many custodial care recipients in assisted living facilities are allowed to reside in a single family detached dwelling Use Group R5 non-sprinklered, where all care recipients are capable of self-preservation and responding to an emergency situation, with 24-hour live-in supervision/care provider regulated by Virginia Department of Social Services?

ANSWER: Eight (8).

VCC Section R322.3.6
Code Interpretation No. 1/2025
First Issued: 04/18/25, 2021 Edition

QUESTION #1: Would the provision in this section prohibit the installation of elevator shaft enclosures in Coastal A and Coastal High Hazard Areas?

ANSWER #1: Yes.

QUESTION #2: If walls are constructed below required flood elevation on three (3) sides of a structure, would that be considered "enclosed" for the purpose of this section?

ANSWER#2: No.

VCC Section 2801.1 (International Mechanical Code Section 602.1)
Code Interpretation No. 20/90
First Issued: 07/17/92, 1990 Edition

QUESTION: Does Section 602.1 prohibit completely sealed (combustion chamber and combustion air) fuel-fired mechanical appliances from being located in a return-air plenum?

ANSWER: Yes. Section 602.1 prohibits the installation of fuel-fired equipment in plenums. However, technical data, research reports or other information may be submitted to the code official to substantiate the approval of a modification request for the use of a specific unit listed for that purpose.

VPC Section 410.4
Code Interpretation No. 3/2019
First Issued: 11/15/19, 2015 Edition

QUESTION: May the faucet of a pantry sink be used as a required water dispenser?

ANSWER: No, the term water dispenser is used in the drinking fountain section of the code and is specific to that use so it needs to be accessible; therefore, a sink with a faucet is not an appropriate means of substituting for a required drinking fountain.

NEC Article 336
Code Interpretation No. 3/2022
First Issued: 08/19/22, 2017 Edition

QUESTION: Does the use of TC-ER (JP) cable meet the intent of the code when installed as the inverter output circuit for a solar photovoltaic system in one-and two-family dwelling units?

ANSWER: Yes.

NEC Article 250.24
Code Interpretation No. 1/2023
First Issued: 05/12/22, 2017 Edition

QUESTION: Is equipment connected via taps ahead of the main for PV systems required to comply with 2017 National Electric Code (NEC) Section 250.24?

ANSWER: Yes. Section 705.12(A) of the 2017 NEC allows connecting PV systems to dwelling unit electric utilities via disconnect switch on the supply side of the existing electric service disconnecting mean.

INTERPRETATIONS
of the
2021 USBC Part II – Virginia Existing Building Code (VEBC)

VEBC Section 501.1 and 601.2.1
Code Interpretation No. 03/2026
First Issued: 07/17/26, 2021 Edition

QUESTION #1: Is the replacement of moisture or rodent damaged insulation considered a repair in accordance with VEBC 501.1 or considered an alteration in accordance with VEBC 601.2.1?

ANSWER: Because the insulation is damaged it is considered a repair in accordance with VEBC 501.1.

QUESTION #2: Would removal without replacement of moisture or rodent damaged insulation be considered abatement of wear due to normal service conditions in accordance with VEBC 501.1 and therefore be exempt from Chapter 5 requirements?

ANSWER: No, because moisture and rodent damage is not normal.

QUESTION #3: Would permanent air sealing of the required foundation crawlspace venting be considered an alteration in accordance with VEBC 601.2.1?

ANSWER: No, because the air sealing of the required foundation crawlspace venting would be considered an alteration in accordance with VEBC 601.2.2.

VEBC Section 601.2.2
Code Interpretation No. 04/2026
First Issued: 07/17/26, 2021 Edition

QUESTION #1: Would installation of a new vapor barrier in an underfloor space be considered an alteration in accordance with VEBC 601.2.2?

ANSWER: Yes.

QUESTION #2: Would installation of new dehumidification equipment in an underfloor space be considered an alteration in accordance with VEBC 601.2.2?

ANSWER: Yes.

INTERPRETATIONS
of the
2021 USBC Part III – Virginia Maintenance Code (VMC)

VMC Section 104.1
Code Interpretation No. 3/09
First Issued: 03/16/12, 2009 Edition

QUESTION: Do all the provisions for unsafe structures in the Virginia Maintenance Code, wherever located, apply in enforcing the second paragraph of Section 104.1?

ANSWER: Yes.

VMC Section 104.5
Code Interpretation No. 1/2020
First Issued: 01/22/21, 2015 Edition

QUESTION #1: Is the elevator inspector, approved by the VCC Sections 106.2 or 113.7, and VMC Section 104.5 required to witness either virtually, in-person, or by other approved means the acceptance or periodic tests of elevators, escalators, or similar conveyances?

ANSWER: Yes.

QUESTION #2: Does the code official have the authority to waive the witnessing of tests pursuant to the question #1 above?

ANSWER: No.

INTERPRETATIONS
of the
2021 Virginia Statewide Fire Prevention Code

SFPC Section 107 and 108
Code Interpretation No. 2/2022
First Issued: 07/15/2022, 2018 Edition

QUESTION: Does the local Fire Official have the authority to require operational permits prescribed by Sections 107 and 108 of the SFPC references in table 107.2?

ANSWER: No, in accordance with the Code of Virginia Section 27-98, unless authorized by the local governing board.

SFPC Section 202
(Use of the term "building" in the definition of "commercial cooking appliance")
Code Interpretation No. 4/06
First Issued: 11/20/09, 2006 Edition

QUESTION: Is a trailer or panel-truck considered to be a building under the SFPC, irrespective of whether it's immobilized or anchored?

ANSWER: No.

Section 308.1.4
Code Interpretation No. 4/09
First Issued: 11/16/12, 2009 Edition

QUESTION: Does Section 308.1.4, Exception 1 include townhouses?

ANSWER: Yes.