



State of West Virginia
Department of Military Affairs and Public Safety

Earl Ray Tomblin, Governor

STATE FIRE MARSHAL'S OFFICE
1207 Quarrier St, 2nd Floor
Charleston, WV 25301
Phone (304) 558-2191
Fax: (304) 558-2537

TO Hoyle & Wood
[Signature]

MEMORANDUM

TO: All West Virginia Municipalities and County Commissions
FROM: Anthony W. Carrico, Acting State Fire Marshal *[Signature]*
DATE: July 23, 2013
RE: State Building Code and Certification of Building Code Officials and Inspectors

The State Fire Commission has final filed Legislative Rule, Title 87, Series 4, "State Building Code" with the Secretary of State's Office with an effective date **September 1, 2013**.

Pursuant to W.Va. Code 8-12-13 and 7-1-3n, respectively, each municipality and county wishing to adopt and enforce the State Building Code locally will have to formally adopt the new editions by ordinance within one year of the promulgation of this State Building Code, and submit a copy to the State Fire Commission at:

State Fire Commission
ATTN: Building Code Adoption
1207 Quarrier Street, 2nd Floor
Charleston, WV 25301

Each ordinance must include any of the appendices your city or county wishes to enforce. Adopting the specific code(s) does not automatically adopt the appendices. Most of the codes have local inserts that must be included in the adopting ordinance. You do not have the option to pick and choose which sections of the code you are adopting. You either adopt it in full, or not at all, pursuant to 8-12-13 (b), and 7-1-3n(b).

The New Codes are:

- 2012 International Building Code
- 2009 International Residential Code
- 2012 International Existing Building Code
- 2012 International Plumbing Code
- 2012 International Mechanical Code
- 2012 International Fuel Gas Code
- 2009 International Energy Conservation Code

2009 ICC/ANSI A117.1 Accessible & Usable Buildings
2012 International Property Maintenance Code
2011 National Electric Code (NFPA 70)

There is one major amendment which is part of the code(s) and is included in the adoption:

§87-4-5 Fire Protection of Floors In Residential Buildings

5.1 New one and Two Family Dwellings over one level in height, New One and Two Family Dwellings containing a basement, and One and Two Family Dwellings containing a crawl space containing a fuel burning appliance below the first floor, shall provide for one of the following methods for fire protection of floors: (1) A ½ inch (12.7 mm) gypsum wallboard membrane, 5/8 inch (16 mm) wood structural panel membrane, or equivalent on the underside of the floor framing member; (2) Wood floor assemblies using dimensional lumber or structural composite lumber equal to or greater than 2 inch by 10 inch (50.8 mm by 254 mm) nominal dimension, or other approved floor assemblies demonstrating equivalent fire performance; or (3) An Automatic Fire Sprinkler System as set forth in section R313.2 of the 2009 edition of the International Residential Code for One and Two Family Dwellings: *Provided*, That floor assemblies located directly over a space protected by an automatic sprinkler system as set forth in section R313.2 of the 2009 edition of the International Residential Code for One and Two Family Dwellings are exempt from this requirement.