

# 2021 Virginia Construction Code

## CHAPTER 1 ADMINISTRATION

### SECTION 105 LOCAL BUILDING DEPARTMENT

#### 105.1 Appointment of building official.

Every *local building department* shall have a building official as the executive official in charge of the department. The building official shall be appointed in a manner selected by the *local governing body*. After permanent appointment, the building official shall not be removed from office except for cause after having been afforded a full opportunity to be heard on specific and relevant charges by and before the appointing authority. *DHCD* shall be notified by the appointing authority within 30 days of the appointment or release of a permanent or acting building official.

**Note:** Building officials are subject to sanctions in accordance with the *VCS*.

#### 105.1.1 Qualifications of building official.

The building official shall have at least 5 years of building experience as a licensed professional engineer or architect, building, fire or trade inspector, contractor, housing inspector or superintendent of building, fire or trade *construction* or at least 5 years of building experience after obtaining a degree in architecture or engineering, with at least 3 years in responsible charge of work. Any combination of education and experience that would confer equivalent knowledge and ability shall be deemed to satisfy this requirement. The building official shall have general knowledge of sound engineering practice in respect to the design and *construction of structures*, the basic principles of fire prevention, the accepted requirements for means of egress and the installation of elevators and other service *equipment* necessary for the health, safety and general welfare of the occupants and the public. The *local governing body* may establish additional qualification requirements.

#### 105.1.2 Certification of building official.

An acting or permanent building official shall be certified as a building official in accordance with the *VCS* within 1 year after being appointed as acting or permanent building official.

**Exception:** A building official in place prior to April 1, 1983, shall not be required to meet the certification requirements in this section while continuing to serve in the same capacity in the same *locality*.

#### 105.1.3 Noncertified building official.

Except for a building official exempt from certification under the exception to [Section 105.1.2](#), any acting or permanent building official who is not certified as a building official in accordance with the *VCS* shall attend the core module of the Virginia Building Code Academy or an equivalent course in an individual or regional code academy accredited by *DHCD* within 180 days of appointment. This requirement is in addition to meeting the certification requirement in [Section 105.1.2](#).

**Note:** Continuing education and periodic training requirements for *DHCD* certifications are set out in the *VCS*.

#### 105.2 Technical assistants.

The building official, subject to any limitations imposed by the *locality*, shall be permitted to utilize *technical assistants* to assist the building official in the enforcement of the *USBC*. *DHCD* shall be notified by the building official within 60 days of the employment of, contracting with or termination of all *technical assistants*.

**Note:** *Technical assistants* are subject to sanctions in accordance with the *VCS*.

#### 105.2.1 Qualifications of technical assistants.

A *technical assistant* shall have at least 3 years of experience and general knowledge in at least one of the following areas: building construction; building construction conceptual and administrative processes; building, fire or housing inspections; plumbing, electrical or mechanical trades; or fire protection, elevator or property maintenance work. Any combination of education and experience that would confer equivalent knowledge and ability, including high school technical training programs or college engineering, architecture, or construction degree programs, shall be deemed to satisfy this requirement. The *locality* may establish additional qualification requirements.

#### 105.2.2 Certification of technical assistants.

A *technical assistant* shall be certified in the appropriate subject area within 18 months after becoming a *technical assistant*. When required by local policy to have two or more certifications, a *technical assistant* shall obtain the additional certifications within 3 years from the date of such requirement.

#### Exceptions:

1. A *technical assistant* in place prior to March 1, 1988, shall not be required to meet the certification requirements in this section while continuing to serve in the same capacity in the same *locality*.

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2. A permit technician in place prior to the effective date of the 2015 edition of the code shall not be required to meet the certification requirements in this section while continuing to serve in the same capacity in the same *locality*.

**Note:** Continuing education and periodic training requirements for *DHCD* certifications are set out in the *VCS*.

### **105.3 Conflict of interest.**

The standards of conduct for building officials and *technical assistants* shall be in accordance with the provisions of the State and Local Government Conflict of Interests Act, Chapter 31 (§ 2.2-3100 et seq.) of Title 2.2 of the Code of Virginia.

### **105.4 Records.**

The *local building department* shall retain a record of applications received, permits, certificates, notices and orders issued, fees collected and reports of inspection in accordance with the Library of Virginia's General Schedule Number Six.