

2021 Virginia Construction Code

CHAPTER 1 ADMINISTRATION

SECTION 102 PURPOSE AND SCOPE

102.1 Purpose.

In accordance with § 36-99 of the Code of Virginia, the purpose of the USBC is to protect the health, safety and welfare of the residents of the Commonwealth of Virginia, provided that *buildings* and *structures* should be permitted to be constructed at the least possible cost consistent with recognized standards of health, safety, energy conservation and water conservation, including provisions necessary to prevent overcrowding, rodent or insect infestation, and garbage accumulation; and barrier-free provisions for the physically handicapped and aged.

102.2 Scope.

This section establishes the scope of the USBC in accordance with § 36-98 of the Code of Virginia. The USBC shall supersede the building codes and regulations of the counties, municipalities and other political subdivisions and state agencies. This code also shall supersede the provisions of local ordinances applicable to single-family residential *construction* that (i) regulate dwelling foundations or crawl spaces, (ii) require the use of specific building materials or finishes in *construction*, or (iii) require minimum surface area or numbers of windows; however, this code shall not supersede proffered conditions accepted as a part of a rezoning application, conditions imposed upon the grant of special exceptions, special or conditional use permits or variances, conditions imposed upon a clustering of single-family homes and preservation of open space development through standards, conditions, and criteria established by a *locality* pursuant to subdivision 8 of § 15.2-2242 of the Code of Virginia or § 15.2-2286.1 of the Code of Virginia, or land use requirements in airport or highway overlay districts, or historic districts created pursuant to § 15.2-2306 of the Code of Virginia, or local flood plain regulations adopted as a condition of participation in the National Flood Insurance Program.

Note: Requirements relating to functional design are contained in [Section 103.5](#) of this code.

102.2.1 Invalidity of provisions.

To the extent that any provisions of this code are in conflict with [Chapter 6](#) (§ 36-97 et seq.) of Title 36 of the Code of Virginia or in conflict with the scope of the USBC, those provisions are considered to be invalid to the extent of such conflict.

102.3 Exemptions.

The following are exempt from this code:

1. *Equipment* and wiring used for providing utility, communications, information, cable television, broadcast or radio service in accordance with all of the following conditions:
 - 1.1. The *equipment* and wiring are located on either rights-of-way or property for which the service provider has rights of occupancy and entry.
 - 1.2. *Buildings* housing exempt *equipment* and wiring shall be subject to the USBC.
 - 1.3. The *equipment* and wiring exempted by this section shall not create an unsafe condition prohibited by the USBC.
2. Support *structures* owned or controlled by a provider of publicly regulated utility service or its affiliates for the transmission and distribution of electric service in accordance with all of the following conditions:
 - 2.1. The support *structures* are located on either rights-of-way or property for which the service provider has rights of occupancy and entry.
 - 2.2. The support *structures* exempted by this section shall not create an unsafe condition prohibited by the USBC.
3. Direct burial poles used to support *equipment* or wiring providing communications, information or cable television services. The poles exempted by this section shall not create an unsafe condition prohibited by the USBC.
4. Electrical *equipment*, transmission *equipment*, and related wiring used for wireless transmission of radio, broadcast, telecommunications, or information service in accordance with all of the following conditions:
 - 4.1. *Buildings* housing exempt *equipment* and wiring and *structures* supporting exempt *equipment* and wiring shall be subject to the USBC.
 - 4.2. The *equipment* and wiring exempted by this section shall not create an unsafe condition prohibited by the USBC.
5. Manufacturing, processing, and product handling machines and *equipment* that do not produce or process hazardous materials regulated by this code, including those portions of conveyor systems used exclusively for the transport of associated materials or products, and all of the following service *equipment*:
 - 5.1. Electrical *equipment* connected after the last disconnecting means.
 - 5.2. Plumbing piping and *equipment* connected after the last shutoff valve or backflow device and before the

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equipment drain trap.

5.3. Gas piping and *equipment* connected after the outlet shutoff valve.

Manufacturing and processing machines that produce or process hazardous materials regulated by this code are only required to comply with the code provisions regulating the hazardous materials.

6. Parking lots and sidewalks that are not part of an accessible route.

7. Playground or recreational *equipment* such as swing sets, sliding boards, climbing bars, jungle gyms, skateboard ramps, and similar *equipment*. However, play *structures* installed inside all occupancies covered by this code shall be subject to the play *structures* section in VCC [Chapter 4](#).

8. *Industrialized buildings* subject to the Virginia Industrialized Building Safety Regulations (13VAC5-91) and *manufactured homes* subject to the Virginia Manufactured Home Safety Regulations (13VAC5-95); except as provided for in [Section 429](#) and in the case of demolition of such *industrialized buildings* or *manufactured homes*.

9. *Farm buildings and structures*, except for a *building* or a portion of a building located on a farm that is operated as a restaurant as defined in § 35.1-1 of the Code of Virginia and licensed as such by the Virginia Board of Health pursuant to [Chapter 2](#) (§ 35.1-11 et seq.) of Title 35.1 of the Code of Virginia. However *farm buildings and structures* lying within a flood plain or in a mudslide-prone area shall be subject to flood-proofing regulations or mudslide regulations, as applicable.

10. Federally owned *buildings* and *structures* unless federal law specifically requires a permit from the *locality*. Underground storage tank installations, modifications and removals shall comply with this code in accordance with federal law.

11. Off-site manufactured intermodal freight containers, moving containers, and storage containers placed on site temporarily or permanently for use as a storage container.

12. Automotive lifts.