

Request for Fire Code Modification

The Virginia Statewide Fire Prevention Code (SFPC) states the Fire Marshal may grant modifications to any provision of the SFPC upon application by the owner or the owner's agent provided the spirit and intent of the SFPC are observed and public health, welfare, and safety are assured.

The SFPC recognizes that there must be a mechanism with the code that allows the authorities having jurisdiction (AHJ's) to accept alternatives as long as they provide an equivalent level of safety. The SFPC does not permit waivers or variances. A waiver or variance is permission not to comply with some code requirement. A modification is an equivalency which allows the use of some other alternative to meet the level of safety intended by the code.

Sufficient technical data must be submitted to substantiate the proposed use of any alternative. The technical data shall consist of three parts. The first item must be the applicable code requirement for which an equivalency is being sought. The second item must include the reasons the code requirement cannot be met. The third item in the documentation must include a detailed analysis of why the proposed alternative meets the level of safety intended by the code. It is important that the analysis demonstrate the equivalency, not just state that it is equivalent. Incomplete requests will not be approved.

Fire protection or safety features provided in the facility in excess of the minimum code requirements may also affect the equivalency. It is important to consider that fire safety usually consists of a system of protection, not just a set of independent features. When considering accepting an equivalency, the Fire Marshal will take into account how the specific item being evaluated affects the entire fire safety system of the building. Such items, or combination of items including additional fire walls, installation of non-required fire suppression or fire alarm systems, standpipes, additional fire hydrants and other fire protection systems will affect equivalency considerations.

If it is determined that the evidence presented is satisfactory proof of performance for the use intended, the Fire Marshal may approve the use of such alternative subject to the requirements of the SFPC. The Fire Marshal may require and consider a statement from a professional engineer, architect or other competent person as to the equivalency of the proposed modification.

As required by the SFPC the application for modification and the final decision of the fire official shall be in writing and will be recorded in the permanent records of the local enforcing agency. The back of this form has an application form that may be used to request a SFPC modification. Modification requests must be addressed to Division Chief Donald W. Wooten, Fire Marshal, via (Plans Reviewer), Fire Prevention Office, 304 Albemarle Drive, Chesapeake, VA 23322. Request may be submitted via hand delivery, U.S. mail, fax or e-mail. Requests submitted via fax or e-mail must have an original and signed copy received within 7 business days.

Application for Code Modification

Name of facility _____

Address of facility _____

Agent's or owner's (applicant) Name, Address, Telephone & E-mail;

Applicable fire code requirement for which an equivalency is being sought;

The reasons the fire code requirements cannot be met are;

How does the proposed alternative meet the level of safety as intended by the fire code?

Print applicant's name

Signature of Applicant

Date