



COMMONWEALTH of VIRGINIA
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MEMORANDUM

To: Chase Sawyer
Policy & Legislative Services Manager
Department of Housing and Community Development

From: Justin I. Bell
Assistant Attorney General

Date: June 9, 2026

Subject: Amend the Statewide Fire Prevention Code to Comply with 2025 Legislation, 13 VAC 5-52.

I have reviewed the Board of Housing and Community Development's proposed regulatory action to amend the Statewide Fire Prevention Code (13 VAC 5-52). In my view, as counsel to the Board, it may proceed pursuant to § 27-97 of the *Code of Virginia*. Furthermore this amendment bring the Statewide Fire Prevention Code into compliance with Chapter 97 of the 2025 Acts of Assembly. Thus, this regulatory action is exempt from the Administrative Process Act pursuant to § 2.2-4006(A)(4)(a) as it involves no discretion from the Board. The regulations do not appear to conflict with the Constitution of the United States or the Constitution of the

Commonwealth of Virginia, nor do they appear to conflict with any federal or state law currently in effect.

This memorandum addresses legal matters only and is not intended to serve, nor should it be construed, as a comment for or against the merits of the proposed regulations.