

Meeting Summary
Agritourism Event Structure Technical Advisory Committee
August 9, 2023
10:00 am
Virginia Housing Center
Glen Allen, VA

Committee Members Present

- Chris Barry, VA Fire Services Board
- Skip Causey, VA Wineries Association
- Heidi Hertz, VA Agribusiness Council
- Joe Lerch, VA Association of Counties
- Shawn Maddox, VA Fire Prevention Association
- Jimmy Moss, VA Building Code Officials Association

Other Attendees

- Chase Barnett, VA Craft Brewers Guild (Representative)
- Justin Bell, Office of the Attorney General
- Cindy Davis, Dept. of Housing and Community Development
- Sean Farrell, Board of Housing and Community Development
- Kyle Flanders, Dept. of Housing and Community Development
- Katelyn Jordan, VA Farm Bureau (Representative)
- Anne Leigh Kerr, VA Wineries Association
- Trisha Lindsey, Dept. of Housing and Community Development
- Chase Sawyer, Dept. of Housing and Community Development

Key Takeaways

- Stakeholders reviewed and agreed upon offered best practices for compliance with the new safety requirements imposed by SB1305 (§36-99.B, 1-3)
- Administrative provisions to inspect and enforce the new minimum safety requirements were discussed, however, all options would require legislative and/or regulatory action

Note: Please note the summary and notes included do not include a specific endorsement or opinion of the committee or any one committee member.

Summary

Department of Housing and Community Development (DHCD) staff provided a summary of the Committee's previous 2023 meetings (June 14 and July 25) and presented a draft of the Committee's offered best practices for the new safety requirements imposed by [SB1305 \(§36-99.B, 1-3\)](#) that became effective July 1, 2023. The draft document was based on stakeholder input during the July 25, 2023, meeting. Following discussion, Committee members offered revisions to the draft document in the form of clarifying language. As noted in the draft document, the Committee's offered best practices are non-binding in nature and are to be used as suggested resources for affected facilities.

In addition to reviewing the best practices draft document, the Committee discussed the need for an administrative organization to inspect and enforce the new minimum safety requirements imposed by [§36-99.B](#), as well as any new laws or regulations that may affect farm buildings and structures that are open to the general public for agritourism activities. Currently, farm buildings and structures (as defined by [§36-97](#)) are exempt from complying with the Uniform Statewide Building Code (USBC). As such, the administrative apparatus associated with the enforcement of the USBC would not apply to farm buildings and structures that are open to the general public for agritourism activities (as defined by [§3.2-6400](#)).

Furthermore, it was noted that enforcement of the USBC would only apply to the construction of new facilities and not preexisting facilities. It was suggested that an alternative enforcement mechanism could be the Statewide Fire Prevention Code (SFPC) which includes fire safety provisions associated with ongoing operations and maintenance of facilities. Additionally, the SFPC includes administrative provisions related to inspection and enforcement, including an appeal process. Methods for including the new safety requirements imposed by SB1305 (§36-99.B, 1-3) within the administrative apparatus of the SFPC were offered, however, all options would require legislative and/or regulatory action. No consensus was reached as to whether the SFPC would be the best enforcement mechanism.

Future Considerations

- Additional discussion regarding previously considered issues:
 - Mechanisms for inspection and enforcement
 - Safety standards for facilities of all sizes and types
 - Additional minimum safety requirements
 - Application of the farm buildings and structures exemption
- Final review of best practices memo
- Review of findings and recommendations memo to Board