



ARLINGTON COUNTY FIRE DEPARTMENT

Office of the Fire Marshal

2100 Clarendon Blvd, Suite 1010
Arlington, VA 22201

TEL 703-228-4644 | www.arlingtonva.us | FAX 703-228-7097



REQUEST FOR FIRE CODE MODIFICATION PROCEDURAL GUIDELINE

Fire Code Modification Request Instructions

1. Purpose

The Virginia Statewide Fire Prevention Code (SFPC) recognizes that there must be a mechanism that allows the authority having jurisdiction (AHJ) to accept alternatives when 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 a code requirement. A modification is an equivalency that allows the use of another alternative to meet the level of safety intended by the code.

2. General

In accordance with Section 106 of the Virginia Statewide Fire Prevention Code:

106.5 Modifications. The fire official 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.

106.5.1 Supporting data. The fire official shall require sufficient technical data to substantiate the proposed use of any alternative. If the evidence presented is satisfactory proof of performance for the use intended, the fire official may approve the use of such alternative subject to the requirements of the code. The fire official may require and consider a statement from a professional engineer, architect, or other competent person as to the equivalency of the proposed modification.

106.5.2 Decision. The application for modification and the final decision of the fire official shall be in writing and recorded in the permanent records of the local enforcing agency.



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Procedure and Submission Requirements

3. Procedure

Sufficient technical data must be submitted to substantiate the proposed use of any alternative. The technical data shall consist of three parts:

- The applicable code requirement for which an equivalency is being sought.
- The reasons the code requirement cannot be met.
- A detailed analysis explaining how 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. Fire safety typically consists of a system of protection, not just a set of independent features. When considering an equivalency, the Fire Marshal will evaluate how the specific item affects the entire fire safety system of the building.

If the evidence presented is satisfactory proof of performance for the intended use, the Fire Marshal may approve the 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.

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.

4. Submittal

The attached application form must be used to request a SFPC modification. Modification requests shall be addressed to:

Chief Fire Marshal
Office of the Fire Marshal
2100 Clarendon Blvd, Suite 1010
Arlington, VA 22201

Requests may be submitted by hand delivery, U.S. mail, fax, or email. Requests submitted by fax or email must have an original signed copy received within seven (7) business days.

Email: Fire-Firecodeinquiry@arlingtonva.us **Fax:** 703-228-7097 **Phone:** 703-228-4644



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APPLICATION FOR CODE MODIFICATION

Applicant and Facility Information

Name of Business/Facility

Address of Business/Facility

Agent or Owner Applicant Name, Address, Telephone and Email

Applicable fire code requirement for which an equivalency is being sought

Attach additional documentation or supporting technical data as needed.



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APPLICATION FOR CODE MODIFICATION

Modification Justification

The reasons the fire code requirements cannot be met

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

Print Applicant's Name

Signature of Applicant

Date