



Chesterfield County, Virginia Local Board of Building Code Appeals

9800 Government Center Parkway – P.O. Box 40 – Chesterfield, VA 23832
Phone: (804) 748-1057 – Fax: (804) 751-2249 – Internet: chesterfield.gov/bi

Jack R. Wilson, III
Chairman

Erin White
Secretary to Board

Chesterfield County Local Board of Building Code Appeals

The Chesterfield County Local Board of Building Code appeals (LBBCA) is appointed by the Chesterfield County Board of Supervisors to hear appeals of decisions of the building/maintenance/amusement device official concerning application of the Uniform Statewide Building Code and the Virginia Amusement Device regulations, and the fire official concerning application of the Statewide Fire Prevention Code. The LBBCA members are Chesterfield county residents. The LBBCA is established pursuant to Code of Virginia sections 36-105 and 27-98, and Code of Chesterfield County section 5-8. Web links to the specific code provisions are provided below:

[Building Code link](#)

Appeal provisions are in section 119

[Fire Prevention Code link](#)

Appeal provisions are in section 112

[Maintenance Code link](#)

Appeal provisions are in section 107

[County Code link](#)

Appeal provisions are in section 5-8

[Amusement Device link](#)

Appeal provisions are in 13VAC5-31-60

The 2019 LBBCA members are:

Jack R. Wilson, III, Attorney
James Ingle, Construction Manager
C. Brown Pearson, III, Property Manager
R. Christian Eudaily, Ret. Fire Chief
Michael C. Bricker, Architect
Lindley Vaughn, P.E., Engineer
Debbie Anderson, Property Manager (Alternate)

Right to appeal

Any person aggrieved by the decision of the building/maintenance/amusement device official concerning application of the Uniform Statewide Building Code or Virginia Amusement Device regulations, or the fire official concerning application of the Statewide Fire Prevention Code may appeal to the LBBCA. The appeal must be submitted in writing to the LBBCA within the applicable time frames:

- For Virginia Construction Code and Virginia Existing Building Code decisions, 30 calendar days from receipt of the decision being appealed;
- For Virginia Statewide Fire Prevention Code, Virginia Maintenance Code and Virginia Amusement Device regulations, 14 calendar days from receipt of the decision being appealed.

Filing An appeal

To file an appeal:

1. If you do not already have the decision of the code official in writing (letter, email, inspection report/ticket) request a written decision from the code official that you wish to appeal.

The building/maintenance/amusement device official is:

Richard C. Witt
Chesterfield County Building Inspection
9800 Government Center Parkway
Chesterfield, VA 2383
(804) 751-4161
witr@chesterfield.gov

The fire official is:

Keith Chambers
Chesterfield County Fire & EMS
6731 Mimms Loop
Chesterfield, VA 23832
(804) 768-7439
ChambersK@chesterfield.gov

2. Send a letter or email to the LBBCA, care of the secretary of the LBBCA, requesting an appeal and specify the specific decision(s) being appealed. A copy of the code official's decision(s) shall be submitted along with the application for appeal. The request letter must be submitted within the timeframes noted in the "Right to Appeal" section of this document.

Address for LBBCA:

Chairman Jack R. Wilson
C/O Erin White
Chesterfield County Local Board of Building Code Appeals
9800 Government Center Parkway
Chesterfield, VA 23838
(804) 768-6462

3. When the request for appeal is received a hearing of the LBBCA will be scheduled for a date within 30 calendar days. The LBBCA secretary will contact the applicant to arrange for a date and time. Typically the appeals cases are scheduled for early evening. The meeting is a public meeting and will be advertised so any citizen may attend.

The Appeal Hearing

At the appeal hearing the appellant may provide additional evidence, documents, photographs, etc. If copies are provided to the LBBCA secretary prior to the meeting the secretary will make copies and provide them to the board members. Documents brought to the meeting by the appellant can be circulated to the board. The hearing room has a computer with projection available so if the appellant wishes to show pictures, documents or PowerPoint slides this can be accommodated. The hearing will be called to order by the chair. The chair will ask for the appellant to make their case first. The chair will then ask the county to make its case. Any board member may ask questions during the testimony. The chair has the authority to rule on evidence, direct the hearing and oversee the record of proceedings. The appellant may bring a representative(s). The appellant, their representative(s), county staff, and any person whose interests are affected by the code official's decision may have an opportunity to speak. Once presentation of the evidence and testimony has concluded the chair will call for a motion from the committee. The decision of the LBBCA is by a simple majority of the LBBCA members present. A quorum of the LBBCA is not required; however, if a quorum is not present any party involved in the appeal has the right to request a postponement of the hearing to be rescheduled within 30 days or a longer time period if agreed to by all parties.

The LBBCA Decision

The decision of the LBBCA will be issued and signed by the LBBCA chair. Any person that is party to the appeal may appeal the decision of the LBBCA to the State Review Board. Appeals to the State Review Board shall be made by application within 21 calendar days of the LBBCA decision. Application forms are available from the Office of the State Review Board, 600 East Main Street, Richmond, Virginia 23219, (804) 371-7150. The application must be submitted to the State Review Board by certified mail.