



Office of the Town Manager
Judson Rex

STAFF REPORT

Warrenton Town Council

Carter Nevill, Mayor
Roy Francis, Ward 1
William Semple, Ward 2, Vice Mayor
Larry Kovalik, Ward 3
Michele O'Halloran, Ward 4
Eric Gagnon, Ward 5
Paul Mooney, At Large
David McGuire, At Large

Council Meeting Date:	July 14 th , 2026,
Agenda Title:	Local Board of Building Code Appeals Members- Advertisement Request
Requested Action:	Allow advertisement for a new member of the LBBCA.
Department / Agency Lead:	Community Development
Staff Lead:	Hunter Digges, Building Official

EXECUTIVE SUMMARY

The Local Board of Building Code Appeals (LBBCA) is a quasi-judicial board that provides a first-tier due process right of adjudication for appeals of decisions made by local government building or fire officials. Virginia's system of building codes establishes the process of enforcement by officials through the Virginia Uniform Statewide Building Code, the Virginia Statewide Fire Prevention Code, and the Virginia Property Maintenance Code.

Mr. Frank Foley has submitted his resignation from the LBBCA, creating a vacancy on the Board. The LBBCA typically meets annually for an organizational meeting and as needed to hear appeals of decisions made by the Building Official or other applicable code officials.

Staff have identified the need to advertise the vacancy and seek candidates for appointment to the LBBCA. In keeping with the composition and purpose of the Board, staff recommend seeking applicants with relevant professional experience in building construction, property management, code enforcement, fire prevention, architecture, engineering, or a related field.

BACKGROUND

Historically, members of the LBBCA have been appointed by the Town Council. Appeals to the LBBCA are not numerous and have historically been rare in the Town.

The members of the Fauquier County LBBCA have, at times, volunteered to also be appointed to the Town's LBBCA and serve the community in that capacity. It is common for individuals with the necessary technical knowledge and experience to serve on multiple building code appeals boards due to the level of expertise required and the infrequency of appeals.

Mr. Foley's resignation creates the need for the Town Council to consider filling the vacancy to ensure that the Town maintains a properly constituted board available to hear appeals when required.

STAFF RECOMMENDATION

Staff recommends that the Town Council authorize advertisement of the vacancy to seek candidates for appointment to the Local Board of Building Code Appeals.

Service Level/Collaborative Impact

Appointment of Local Board of Building Code Appeals members allows Town citizens, property owners, contractors, and other affected parties the ability to appeal certain determinations made by a code official or the local building department's application of the Uniform Statewide Building Code, the Virginia Statewide Fire Prevention Code, and the Virginia Property Maintenance Code.

Maintaining the membership of the LBBCA ensures that the Town has an established process available for appeals and supports the continued enforcement of applicable building, fire prevention, and property maintenance codes.

Policy Direction/Warrenton Plan 2040

The Local Board of Building Code Appeals supports the Town's responsibility to provide for the health, safety, and welfare of citizens, businesses, property owners, and contractors within the built environment.

The Board provides an important procedural safeguard by allowing eligible appeals of certain determinations made during the enforcement of state building, fire prevention, and property maintenance codes.

Fiscal Impact

A minor Fiscal impact for the cost of advertising is the only expected expense for the advertisement. Social media channels and direct communications will also be used to advertise.

Legal Impact

The LBBCA serves as the local appeals body for certain determinations made by the Building Official or other applicable code officials. The absence of a properly constituted LBBCA could affect the Town's ability to provide the required appeal process and may impact the Building Official's ability to enforce applicable codes. Appeals before the LBBCA may involve the Town Attorney for representation or legal guidance, as needed. A quorum can still be reached at this time

ATTACHMENTS

1. Section 119 of the Uniform Statewide Building Code