WEST VIRGINIA CODE: §15A-10-4

§15A-10-4. Enforcement standards.

(a) In the enforcement of the State Building Code and State Fire Code, the State Fire Marshal shall provide compliance alternatives for historic structures as provided for in §29-1-5 of this code, which compliance alternatives shall take into account the historic integrity of the historic structures, and shall coordinate with the Director of the Archives and History Division the application of the rules of that division.

(b) In interpretation and application, the State Fire Code shall be held to be the minimum requirements for the safeguarding of life and property from the hazards of fire and explosion: *Provided,* That the State Fire Marshal shall provide compliance alternatives for historic structures and sites as provided in §29-1-5 of this code, which compliance alternatives shall take into account the historic integrity of the historic structures and sites. Whenever any other state law, county or municipal ordinance, or regulation of any agency thereof, is more stringent or imposes a higher standard than is required by the State Fire Code, the provisions of the state law, county or municipal ordinance, or regulation of any agency thereof governs, if they are not inconsistent with the laws of West Virginia and are not contrary to recognized standards and good engineering practices: *Provided*, *however,* That, on and after July 1, 2010, if a municipal or county fire ordinance or regulation of any agency thereof is more stringent or imposes a higher standard than is required by the State Fire Code, it must be presented for review and approval and sanctioned for use by the State Fire Commission. In any question, the decision of the State Fire Commission determines the relative priority of any such state law, county or municipal ordinance, or regulation of any agency thereof and determines compliance with state fire rules by officials of the state, counties, municipalities, and political subdivisions of the state.

WV Legislature