

**NORTH CAROLINA  
STATE BUILDING CODE**

**Volume I  
GENERAL CONSTRUCTION**



**1967 EDITION**

## FOREWORD

North Carolina has been a pioneer in the field of Statewide Building Regulations which have been enacted for the protection of the public. The Building Laws passed in 1903 and 1905 created a Building Code for materials and methods of construction in use at that time in this State.

An early forerunner who saw the need for a set of minimum standards to apply to the entire state was Mr. Sherwood Brockwell who administered the Building Laws and later the State Building Code for the Department of Insurance from 1914 until his death in 1953.

The General Assembly of 1933 created a Building Code Council and authorized it to, in cooperation with the Commissioner of Insurance, prepare and adopt a State Building Code. The first State Code was adopted in 1935 and ratified by the 1941 General Assembly.

At the suggestion of Albert L. Haskins, Jr., AIA, then Chairman of the Building Code Council, an opinion of the Attorney-General was secured on the authority of the Council and the State Code was completely revised and adopted in 1953.

The 1957 Legislature rewrote the 1933 Act and reorganized and expanded the membership and responsibility of the Council. Mr. A. G. Odell, Jr., FAIA, saw the need for more uniformity in local regulations, which heretofore could be different from the State Code as long as they were more stringent, accepted the responsibility and authorization just created by the 1957 Legislature, and suggested as a policy of the Council to only approve local amendments to the State Code which were absolutely necessary. This policy has been continued by the Council, resulting in more uniformity of building regulations throughout the State. The Code was revised in accordance with the 1957 Act and printed as a 1958 edition.

This present 1967 edition has been prepared by the Building Code Council with the cooperation of the staff of the Engineering Division of the Department of Insurance. Three statewide Public Hearings and a number of other Council and Committee meetings were held. This Code was prepared utilizing the framework of the Southern Building Code, 1965 edition. Several chapters and amendments to chapters were taken from the 1966 edition of the National Building Code published by the American Insurance Association. Several amendments to various chapters were taken from the Life Safety Code, 1966 edition, of the National Fire Protection Association, and standards of the American Standards Association. Special acknowledgement is made to these organizations for the use of this material.

The Code is presented with the hope that its use will protect the public from dangerous and unsanitary buildings and will provide architects and engineers a set of minimum standards to follow in designing buildings. The Building Code Council has authority to make changes in the Code when the wider use of materials and methods comply with safety standards set forth in the Laws. From time to time, there will be modifications and changes in the Code.

**PREVIOUS EDITIONS OF THE  
NORTH CAROLINA STATE BUILDING CODE**

1936 Edition  
1953 Edition  
1958 Edition  
1963 Edition (Plumbing Only)

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Volume I —GENERAL CONSTRUCTION .....	\$4.12
Volume I-A—FIRE RESISTANCE RATINGS .....	\$1.03
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N. C. UNIFORM RESIDENTIAL BUILDING CODE—5 for .....	\$1.03

# **NORTH CAROLINA STATE BUILDING CODE**

**1967 Edition**

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## **Volume I GENERAL CONSTRUCTION**

Adopted by the North Carolina Building Code  
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of the General Assembly of  
1957, Chapter 1138  
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BASIC BUILDING CODE, 1965 Edition, (Appendices A-G), Published by Building Officials Conference of America, 1313 East 60th Street, Chicago, Ill. 60637.

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# NORTH CAROLINA STATE BUILDING CODE

## CHAPTER I—ADMINISTRATION

### SECTION 101—TITLE AND SCOPE

#### 101.1—TITLE

These rules and regulations shall be known as the 1967 Edition of the North Carolina State Building Code, may be cited as such and will be referred to hereinafter as this Code. (See G.S. 143-138(a))

#### 101.2—PURPOSE

The purpose of the Code is to provide certain minimum standards, provisions and requirements for safe and stable design, methods of construction and uses of materials in buildings and/or structures hereafter erected, constructed, enlarged, altered, repaired, moved, converted to other uses or demolished and to regulate the equipment, maintenance, use and occupancy of all buildings and/or structures. All regulations contained in the North Carolina State Building Code shall have a reasonable and substantial connection with the public health, safety, morals, or general welfare, and their provisions shall be construed liberally to those ends. (See G.S. 143-138(c))

#### 101.3—SCOPE

(a) **NEW BUILDINGS; EXEMPTIONS.** The Code shall apply to all new buildings, structures and additions thereto wherever they might be situated in the State of North Carolina provided, however, that such regulations shall not apply to the following types of buildings unless the governing body of the municipality or the county wherein such buildings are located shall by vote adopt a resolution making the regulations applicable to one or more such types of buildings:

- (1) Dwellings; and outbuildings used in connection therewith;
- (2) Apartment buildings used exclusively as the residence of not more than two families;
- (3) Temporary buildings or sheds used exclusively for construction purposes, not exceeding twenty feet in any direction and not used for living quarters.

This Code shall not apply to farm buildings located outside any municipality. (See G.S. 160-138(b) and 160-138(e))

#### (b) EXISTING BUILDINGS

1. *Alterations:* This code shall apply to all alterations which affect the structural strength, exits, fire hazards, lighting or sanitary conditions of any building in the State of North Carolina except those exempted in Section 101.3(a) above. (See G.S. 143-138(b))

2. *Alterations to Wood Frame Buildings Inside Fire Districts:* Within the fire limits (as defined in G.S. 160-124) of cities and towns as established and defined by local ordinance, no frame building (brick veneer on wood frame included) shall be hereafter erected, altered, repaired, removed or moved into or within the fire limits except on the permit of the building inspector and approved by the Commissioner of Insurance. (See G.S. 160-124, 160-127, 160-128 and Section 302)



**Section 102**

3. *Change of Use:* This Code shall apply to all buildings which are to be devoted to a new use and which the requirements of this code are in any way more stringent than the requirement covering the previous use of the building. (See G.S. 143-138(b))

4. *Safety to Life Requirements:* Every existing building shall comply with the minimum safety to life requirements contained in Chapter X of this Code. (See G.S. 143-138(b))

**SECTION 102—CONTENT**

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  - " I-A—Fire Resistance Ratings
  - " II —Plumbing
  - " III—Heating and Air Conditioning
  - " IV —Electrical Systems and Elevators
- (See G.S. 143-138(b))

**SECTION 103—ADMINISTRATION BY  
COMMISSIONER OF INSURANCE**

**103.1—GENERAL**

The Commissioner of Insurance shall have general supervision, through the Division of Engineering of the Department of Insurance, of the administration and enforcement of all sections of the North Carolina State Building Code referred to in Section 102 above (except elevators), through the cooperation of local inspectors appointed by the governing body of municipalities and counties. (G.S. 143-139(b))

**103.2—PLAN APPROVALS**

The plans and specifications of the following types of buildings are required to be submitted to the Engineering Division of the Department of Insurance and approval obtained before work is begun on such buildings:

Occupancy Group	Building Plans to be Approved
Group A—Residential	Over 4 stories or over 100 rooms
Group B—Business	Over 4 stories or over 50,000 sq. ft.
Group G—Industrial	Over 4 stories or over 50,000 sq. ft.
Group C—Schools	All Buildings (over 100 people for Non Public owned)
Group D—Institutional	All Buildings
Group E—Assembly	All Buildings
Group H—Hazardous	Over 100 People
Buildings Owned by State, Cities or Counties	All Buildings

The Local building inspector may require the plans of any buildings costing as much as \$20,000 to be submitted to and approved by the Commissioner of Insurance. (See G.S. 143-139 (b) and 58-193)

**103.3—STAFF FOR BUILDING CODE COUNCIL**

The Engineering Division serves as Staff for the Building Code Council. (See G.S. 143-137(c))

**103.4—RIGHT OF ENTRY**

The Commissioner of Insurance and his authorized deputies in the Engineering Division have the right at all reasonable hours to enter into or upon all buildings in their jurisdiction for the purpose of examination and inspection. (See G.S. 69-4, 69-13, 160-143, 143-139(b))

**103.5—INSPECTIONS**

The Commissioner of Insurance through the Division of Engineering may inspect any building wherever it may be situated in the State to assist local officials in the enforcement of the Building Code. (See G.S. 143-139(b))

**SECTION 104—ADMINISTRATION BY BUILDING CODE COUNCIL**

**104.1—BUILDING CODE COUNCIL CREATED**

There is created by statute a State Building Code Council composed of nine members appointed by the Governor consisting of one registered architect, one licensed general contractor, one registered engineer practicing structural engineering, one registered engineer practicing mechanical engineering, one registered engineer practicing electrical engineering, one licensed plumbing and heating contractor, one municipal building inspector, a representative of the public who is not a member of the building construction industry, and a representative of the engineering staff of a State agency charged with approval of plans of State owned buildings. (See G.S. 143-136(a))

**104.2—OFFICERS**

The Council shall elect from its appointed members a Chairman and Vice-Chairman. Officers shall serve for a period of two years from the date of election or until their successors are elected. (See G.S. 143-137(a))

**104.3—MEETINGS**

The Building Code Council shall meet regularly the *second Tuesday in March and September*. Special meetings may be called by the Chairman. Any five members of the Council shall constitute a quorum. (See G.S. 143-137(b))

**104.4—DUTIES**

The Building Code Council shall have the duty of adopting and amending the North Carolina State Building Code, the approval of local ordinances and hearing appeals from the decision of an enforcement agency. (See G.S. 143-138 a, d, and e; 143-141)

**104.5—STAFF AND PERSONNEL**

The Division of Engineering of the Department of Insurance shall serve as the staff for the Council. (See G.S. 143-137(c))

**104.6—RECOMMENDED STATUTORY CHANGES AND ENFORCEMENT PROCEDURES**

(a) The Building Code Council has the duty of studying the building laws of the State and to recommend to the Legislature desirable changes to simplify and improve such laws. (See G.S. 143-142(a))

**Section 105**

(b) The Council has the duty of advising State Agencies as to any changes in Administrative practice to improve enforcement of the building laws. (See G.S. 143-142(b))

**SECTION 105—ADMINISTRATION BY  
LOCAL BUILDING OFFICIALS (Building Inspector)**

**105.1—OFFICE OF BUILDING OFFICIAL (BUILDING INSPECTOR)  
CREATED**

(a) *City Building Inspector*: There is created by Statute the office of building inspector in all cities and towns of 1000 or more in population according to the last U. S. census whose duty shall be to enforce the North Carolina State Building Code. (See G.S. 160-118, 160-120 and 160-154) (See Local Administrative ordinance)

(b) *County Building Inspector*: The Board of County Commissioners may appoint one or more building inspectors to enforce the State Building Code. (See G.S. 153-9 (52)) (See Local Administrative Ordinance)

(c) *Combination City and County Building Inspectors*: By mutual agreement between the County Commissioners and the City Commissioners, a building inspector or inspectors may be appointed to serve a county and cities within the county and/or one or more counties. (See G.S. 153-9 (52)) (See Local Administrative Ordinance)

**105.2—PERMITS REQUIRED**

(a) *New Building*: Before a building is begun the owner of the property shall apply to the inspector for a permit to build. This permit shall be given in writing and shall comply with the following requirements:

(1) A provision that the building shall be constructed according to the requirements of the Building Code.

(2) Statement by the owner or his agent of compliance with the State Building Code and local ordinances shall be included on the permit.

(3) No permit shall be issued unless the plans and specifications are identified by the name and address of the author thereof.

(4) Where the General Statutes of North Carolina require that plans for certain types of construction be prepared only by a registered architect or a registered engineer, no permit shall be issued unless such plans and specifications bear the North Carolina seal of a registered architect or a registered engineer.

(5) Where the General Statutes require a licensed contractor for certain types of construction, no permit shall be issued except in compliance with the General Statutes. (See Chapter 83, 87 and 89 of the General Statutes, and G.S. 160-126)

(b) *Existing Buildings*: A permit is required from the building inspector to repair, alter, move, demolish or add to an existing building or structure. (See local Administrative Chapter) (See G.S. 143-138(e), 160-149 and chapter X) (See Section 2604 for Moving buildings)

(c) *Special Permits*: A special permit is required for alterations and repairs to wood frame buildings located inside the fire limits. (G.S. 160-128) (Section 301, 302)

(d) *Occupancy Permits*: Before a building is occupied or changed from one occupancy to another occupancy, the owner shall obtain from the inspector a occupancy permit (See G.S. 69-4, 69-12, 68-13, 160-143, 144).

(e) A permit is required to install signs (Section 2301)

(f) A permit is required to install marquees, awnings, etc. (See Section 2601)

#### 105.3—INSPECTION REQUIRED

(a) As the building progresses the inspector shall make as many inspections as may be necessary to satisfy him that the building is being constructed according to the provisions of this Code. (See local Administrative Chapter for required inspections). As soon as the building is completed the owner shall notify the inspector who shall proceed at once to inspect the said building and determine whether or not the building has been properly constructed in accordance with the Building Code. If, in the opinion of the Building Inspector, the building meets the requirements of the building code the inspector shall then issue to the owner of the building a certificate which shall state that he has complied with the requirements of the building code as to that particular building, giving description, locality and street number if numbered. (See G.S. 160-126)

(b) *New Buildings, Repairs, Alterations, Removing, Demolition and Additions to Existing Buildings*: After issuing proper permit for new buildings, repairs or alterations or additions, the building inspector shall make as many inspections as he may deem necessary to make certain that the building is being constructed according to the provisions of this code. (See G.S. 160-126) (See Section 2604 for moving Buildings)

(c) *Periodic Inspections*: Inspections of existing buildings are required to determine their compliance with the Building Code and to determine whether they meet the minimum requirements for safety to life. (See G.S. 160-143, 160-149) and Chapter X)

(d) *Change of Occupancy*: When an existing building is to be converted to another occupancy, the building inspector shall make an inspection of such building to see that it is in compliance with the safety requirements of the code for the new occupancy. (See G.S. 160-126, 160-142, 160-143, 160-149)

#### 105.4—RECORDS OF INSPECTIONS

The local inspector shall keep an indexed record maintained so as to readily indicate by reference all such buildings as are approved with the following information thereon:

- (a) Name and address of owner.
- (b) Location of building.
- (c) How it is to be occupied.
- (d) Date of inspection.
- (e) What defects found and when remedied and date of building certificate.
- (f) The date of every general inspection.
- (g) Defects discovered and when remedied.
- (h) Date, circumstances and origin of every fire that occurs.

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- (i) Name of owner and occupant of the building in which fire originates.
- (j) The kind and value of property destroyed or damaged (except where such records are kept by other departments).
- (k) All records of inspections of electrical wiring, heating and plumbing and certificate issued. (See G.S. 160-144)

### 105.5—CONDEMNATION OF UNSAFE BUILDINGS

(a) *Unsafe Buildings Condemned:* By Statute every building which shall appear to the inspector to be especially dangerous because of its liability to fire or in case of fire by reason of bad condition of walls, overloaded floors, defective construction, inadequate exists, decay or other causes shall be held to be unsafe, and the inspector shall affix a notice of the dangerous character of the structure to a conspicuous place on the exterior wall of said building. No building now or hereafter built shall be altered, repaired or moved, until it has been examined and approved by the inspector as being in a good and safe condition to be altered as proposed, and the alteration, repair or change so made shall conform to the provisions of the law. (See G.S. 160-149, 160-151 and 69-35)

(b) *Punishment for Allowing Unsafe Building to Stand is Provided by Law as Follows:* If the owner of any building which has been condemned as unsafe and dangerous by any local inspector, after being notified by the inspector in writing of the unsafe and dangerous character of such building, shall permit the same to stand or continue in that condition, he shall forfeit and pay a fine of not less than ten nor more than fifty dollars for each day such building continues after such notice. (See G.S. 160-152)

(c) If after ninety days from legal notice from the inspector, the owner or owners of a building which has been condemned fails to answer such notice of condemnation, the Chief of the Fire Department or the local Building Inspector, may, with and by a two-thirds vote of the City Council, order such building removed, with reasonable expense incurred by such removal charged against the property. (See G.S. 160-151, 160-152 and 69-35)

### 105.6—RIGHT OF ENTRY

The building inspector has the statutory right at all reasonable hours to enter into or upon all buildings in their jurisdiction for the purpose of examination and inspection. (G.S. 69-4, 69-13 and 160-143)

## SECTION 106—APPEALS

### 106.1—APPEALS TO COMMISSIONER OF INSURANCE

Any person desiring to raise any questions under the North Carolina State Building Code shall be entitled to a full hearing before the Commissioner of Insurance upon proper request in writing by any such person. (G.S. 143-140, 69-13)

### 106.2—APPEALS TO BUILDING CODE COUNCIL FROM DECISIONS OF STATE ENFORCEMENT AGENCIES

(a) Any person desiring to take an appeal to the Building Code Council from the decision of a State enforcement agency must file such an appeal within 30 days after such decision giving written notice to the Council. (See G.S. 143-141)

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(b) *Procedural Rules for Appeals from Decisions of Enforcement Agencies:*

*Rule 1—Time of Notice*—Any person wishing to appeal from the decision of an enforcement agency to the Building Code Council shall give a written Notice of Appeal as follows:

(a) The *original and eleven copies* of said notice shall be filed not later than 30 days from the date of the decision of the enforcement agency with the Building Code Council, c/o Division of Engineering, Department of Insurance, Box 351, Raleigh, North Carolina.

(b) The staff of the Building Code Council shall immediately forward one copy of said notice to the enforcement agency from which the appeal is taken.

(c) The time within which notice is to be filed, shall be computed by excluding the first and including the last day. If the last day is Saturday, Sunday or a legal holiday, it must be excluded.

*Rule 2—Form of Notice*—Whenever Notices of Appeal is given as provided by these rules, said notice shall be legibly printed, typewritten or mimeographed and shall contain the following information:

(a) The name of the party or parties taking the appeal;

(b) The name of the enforcement agency and the date of the decision from which the appeal is taken:

(c) The decision from which the appeal is taken must be set forth in full in the Notice of Appeal, or a copy of said decision must be attached to all copies of the Notice of Appeal;

(d) The contentions and allegations of fact of the party or parties taking the appeal must be set forth in full in a clear and concise manner with particular reference to the section or sections of the North Carolina State Building Code in controversy;

(e) The original notice shall be signed by the party or parties filing same. No notarization or verification is required.

*Rule 3—Time for Hearing*—Upon the proper filing of an appeal in accordance with these rules, the Chairman of the Building Code Council shall cause the appeal to be heard by the Council within a reasonable time, at least *ten day notice* to Council members.

*Rule 4—Notice to Appellant*—The Chairman of the Building Code Council shall cause all appeals to be docketed for hearing and shall fix the time and place for said hearing and shall cause not less than ten days notice in writing, of the time and place of the hearing on the appeal to be given to the appellant, the enforcement agency from which the appeal is taken and all members of the Council.

*Rule 5—Dismissal*—The Council shall, upon motion of the enforcement agency or on its own motion, dismiss all appeals for the following reasons:

(a) Not prosecuted by the appellant.

(b) All appeals wherein the Notice of Appeal has not been filed in accordance with these Rules.

(c) For lack of jurisdiction.

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**106.3—APPEALS TO COURT**

By Statute a person may appeal directly to the Superior Court in the county in which the building is to be situated with or without and appeal to the Building Code Council. (See G.S. 143-141(b))

**106.4—LOCAL BOARD OF APPEALS. (See Local Administrative Ordinance)**

**SECTION 107—AMENDMENTS TO STATE BUILDING CODE**

**107.1—PROCEDURAL RULES FOR HEARINGS BEFORE THE BUILDING CODE COUNCIL ON PROPOSED AMENDMENTS TO THE NORTH CAROLINA STATE BUILDING CODE**

The following procedural rules shall apply when any citizen, State agency, or political subdivision of the State makes application to the Building Code Council requesting that the North Carolina State Building Code be revised or amended pursuant to G.S. 143-138(d):

*Rule 1—Request for Hearing*—Any citizen, State agency, or political subdivision of the state requesting a hearing before the Building Code Council for the above purposes shall submit a written request as follows:

(a) An original and ten copies of said request for hearing shall be filed with the Building Code Council, c/o Division of Engineering, Department of Insurance, Box 351, Raleigh, North Carolina.

(b) The staff of the Building Code Council shall immediately forward one copy of said request to each members of the Building Code Council.

*Rule 2—Form of Request for Hearing*—Each request shall be legibly printed, typewritten, or mimeographed and shall contain the following information:

(a) Name, address and basis of interest of party or parties requesting hearing.

(b) The proposed amendment to the North Carolina State Building Code must be set forth in full, and the request shall contain explicit reference to the affected section or sections of the Building Code.

(c) The request shall state, in support of the proposed amendment or amendments, the reasons for proposing the amendment or amendments.

(d) The proposed amendment or amendments shall comply with the standards set forth in G.S. 143-138(c) and reference to the particular standards and sections involved shall be set forth in the request for hearing.

(e) The original request for a hearing shall be signed by the party or parties or their duly authorized agent submitting same.

*Rule 3—Time of Hearing*—Upon the proper filing of a request for hearing in accordance with these rules, the Chairman of the Building Code Council shall cause a hearing to be held within a reasonable time not to exceed six months; said hearing shall be open to the public.

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*Rule 4—Notice of Hearing*—The Chairman of the Building Code Council shall fix the time and place for said public hearing and shall cause notice of the hearing to be given as follows:

(a) Notice in writing to the party or parties or their duly authorized agents requesting the hearing not less than fifteen days prior to the hearing;

(b) Notice of public hearing by publication as required by G.S. 143-138(a);

(c) Not less than *ten days notice* in writing to all members of the Building Code Council.

*Rule 5—Improper Filing of Request for Hearing*—When a request for hearing is filed under this Section other than in accordance with these Rules, the staff of the Building Code Council shall notify the applicant of proper procedure to follow.

### 107.2—PRINTING AMENDMENTS

Amendments to the State Building Code will be printed once each year as an accumulative supplement. (See G.S. 143-138(g))

## SECTION 108—APPROVAL OF LOCAL ORDINANCES

### 108.1—LOCAL CODES AND ORDINANCES TO BE APPROVED

The 1957 Legislature revised the North Carolina Building Code Council act which requires that all local city and county building, plumbing, heating and electrical ordinances be approved by the Council before they are legally effective. In the interest of standardization of local codes and ordinances throughout the State and to further facilitate statutory and code references by all inspectors, architects, engineers, builders and the general public and the resultant ease of understanding and enforcement brought about by uniformity, the Building Code Council has taken the position of approving only those local amendments to the State Building Code which are deemed absolutely necessary on a local basis in lieu of approving a separate code for each city or county.

### 108.2—PROCEDURAL RULES

The following procedural rules shall apply when any city or county makes application to the Building Code Council requesting approval of a local ordinance:

#### *Rule 1*

(a) An *original and 11 copies* of the request for the hearing and proposed local ordinance shall be filed with the Building Code Council in care of the Division of Engineering, Department of Insurance, Box 351, Raleigh, North Carolina.

(b) Request for the hearing must be signed by a *responsible official* of the city or county.

(c) Request for hearing and copies of ordinance must be sent in at least 15 days before date of hearing to be acted on. (Regular meetings of Council are held the *second Tuesday in March and September*.)



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### Rule 2

All Local ordinances (including those relating to *Building construction, plumbing, heating and electrical*) must be divided into three major sections:

1. Local *administrative regulations, fees, etc. dealing with administration of the Code.* These regulations should not conflict with State Laws.
2. Reference to an *adoption of the State Building Code* (including general construction, plumbing, heating and electrical). Reference also should be made to adoption of the recommended Uniform Residential Code for dwellings if it is desired to have regulations applicable to dwellings.
3. The *proposed amendments to the State Building Code* (including general construction, plumbing, heating and electrical) must be set forth in full, designating page and paragraph reference to that section of the State Building Code proposed to be modified or supplemented.

### Rule 3

The *reasons* for requesting the change to the State Code must be shown. Reference to sections of nationally recognized standards set forth in G.S. 143-138(c) should be made to support this request.

### Rule 4

After approval of the Council and local administrative body, two copies of all amendments must be sent to the Secretary of the Council in the form they are to be distributed, one for the *Council's file* and the other to be stamped approved by the Building Code Council and returned for *local file*.

## SECTION 109—ALTERNATE MATERIALS AND ALTERNATE METHODS OF CONSTRUCTION

The provisions of this code are not intended to prevent the use of any material, or method of construction not specifically prescribed by this code, provided any such alternate has been approved and its use authorized by the Building Official. The Building Official shall approve any such alternate, provided he finds that the proposed design is satisfactory and complies with the provisions of Chapter XII, and that the material, method, or work offered is, for the purpose intended, at least the equivalent of that prescribed in the code in quality, strength, effectiveness, fire-resistance, durability and safety. The Building Official shall require that sufficient evidence or proof be submitted to substantiate any claim that may be made regarding its use. If, in the opinion of the Building Official, the evidence and proof are not sufficient to justify approval, the applicant may refer the entire matter to the Building Code Council. (See G.S. 143-141)

## SECTION 110—VIOLATIONS AND PENALTIES

Any person who shall be adjudged to have violated the North Carolina State Building Code shall be guilty of a misdemeanor and shall upon conviction be liable to a fine not to exceed \$50.00 for each offense. Each thirty

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days that such violation continues shall constitute a separate and distinct offense. (See G.S. 14-68, 69-36 and 69-37; 87-14; 143-138(h); 160-119; 160-125 and 160-129; 160-150, 160-151 and 160-153)

**SECTION 111—VALIDITY**

If any section, subsection, sentence, clause or phrase of this Code is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Code.

## CHAPTER II—DEFINITIONS

### SECTION 201—DEFINITIONS

#### 201.1

For the purpose of this Code, certain abbreviations, terms, phrases, words, and their derivatives, shall be construed as set forth in this Section.

#### 201.2

Words used in the present tense include the future. Words in the masculine gender include the feminine and neuter. Words in the feminine and neuter gender include the masculine. The singular number includes the plural and the plural number includes the singular.

Where terms are not defined in this section, they shall have their ordinarily accepted meanings or such as the context may imply.

**ADDITION**—as applied to a building, means any construction which increases the area or the height of any portion of the building.

**ALLEY**—means any public space or thoroughfare twenty (20) feet or less in width which has been dedicated or deeded for public use.

**ALTERATION**—as applied to a building, means any change or modification in construction, exit facilities, building equipment or permanent fixtures which does not include an addition to the building.

**AMUSEMENT DEVICE**—means a mechanically operated device which is used to convey persons in any direction as a form of amusement.

**APARTMENT**—means a room or a suite of rooms occupied, or which is intended or designed to be occupied, as the home or residence of one individual, family or household, for housekeeping purposes.

**APARTMENT HOUSE**—means any building, or portion thereof, which is designed, built, rented, leased, let or hired out to be occupied, or which is occupied as the home or residence of more than two (2) families living independently of each other and doing their own cooking in the said building, and shall include flats and apartments.

**APPLICABLE GOVERNING BODY**—a city, county, state, state agency or other political government subdivision or entity authorized to administer and enforce the provisions of this code, as adopted or amended.

**APPROVED**—as applied to a material, device or mode of construction, means approved by the building official in accordance with the provisions of this code, or by other authority designated by law to give approval in the matter in question.

**ARCHITECT**—within the meaning of this Code, shall be deemed to be a duly registered and licensed architect.

**AREA**—as applied to the dimensions of a building, means the maximum horizontal projected area of the building at grade.

**AREA**—(See FLOOR AREA).

**AREAWAY**—means an unroofed subsurface space adjacent to a building.

**A.S.A.**—means American Standards Association.

**A. S. T. M.**—means American Society for Testing and Materials.

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**ASSEMBLY OCCUPANCY**—(Defined in Section 408.1).

**ATTIC**—means the space between the ceiling beams of the top habitable story and the roof rafters.

**ATTIC STORY**—means any story situated wholly or partly in the roof, so designated, arranged or built as to be used for business, storage or habitation.

**AUTOMATIC**—as applied to a fire door or other opening protective, means normally held in open position and automatically closed by a releasing device actuated by abnormal high temperature, or by a pre-determined rate of rise in temperature.

**AUTOMOTIVE SERVICE STATION**—(Defined in Section 505).

**BALCONY**—means that portion of the seating space of an assembly room, the lowest part of which is raised four (4) feet or more above level of the main floor.

**BASEMENT**—means a story of a building of structure having one-half or more of its clear height below grade. Also see "Story".

**BEAM**—a primary structural member supporting secondary structural members, floors, roof, joists, and the like.

**BRICK**—means a solid masonry unit having a shape approximately a rectangular prism, usually not larger than 12 by 4 by 4 inches. A brick may be made of burned clay or shale, of fire clay or mixtures thereof, of lime and sand, of cement and suitable aggregates, or of other approved materials.

**BUILDING**—means any structure built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind which has enclosing walls for 50% of its perimeter. The term "building" shall be construed as if followed by the words "or part thereof". (For the purpose of this Code each portion of a building separated from other portions by a fire wall shall be considered as a separate building).

**SHED**—means any structure built for the support, shelter or enclosure of persons, animals, chattels, or property of any kind which has enclosing walls for less than 50% of its perimeter.

**OPEN SHED**—means any structure that has no enclosing walls.

**EXISTING BUILDING**—means a building erected prior to the adoption of this Code, or one for which a legal building permit has been issued.

**BUILDING LINE**—means the line, established by law, beyond which a building shall not extend, except as specifically provided by law.

**BUILDING OFFICIAL (Building Inspector)**—means the officer, or other person, charged with the administration and enforcement of this Code, or his duly authorized representative. (See Sections 103 and 105)

**BUSINESS OCCUPANCY**—(Defined in Section 405.1).

**CAST STONE**—is a building stone manufactured from cement concrete precast and used as a trim, veneer or facing on or in buildings or structures.

**CELLAR**—means that portion of a building, the ceiling of which is entirely below grade or less than four (4) feet six (6) inches above grade. (See STORY.)

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CITY—(See definition APPLICABLE GOVERNING BODY.)

COMBUSTIBLE MATERIAL—A material which cannot be classified as non-combustible in accordance with that definition.

COMMON-PROPERTY LINE—means a line dividing one lot from another when said lots are not of one ownership.

CONCRETE—(See Chapter XVI.)

CURB LEVEL—referring to a building, means the elevation at that point of the street grade that is opposite the center of the wall nearest to and facing the street line.

DEAD LOAD—(See Section 1202.)

DISPLAY SIGN—means a structure that is arranged, intended, designed or used as an advertisement announcement or direction, and includes a sign, sign screen, billboard and advertising devices of every kind.

DWELLING—means a building occupied exclusively for residence purposes and having:

- (1) One dwelling unit; or
- (2) Two dwelling units; or
- (3) One dwelling unit with not more than five boarders or roomers served with meals or sleeping accommodations or both.

DWELLING UNIT—means one or more rooms arranged for the use of one or more individuals living together as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities.

ENGINEER—within the meaning of this Code, shall be deemed to be a duly registered and licensed engineer.

EXISTING—means an existence before the time that this code becomes effective.

EXISTING BUILDING—(See BUILDING—EXISTING BUILDING.)

EGRESS, MEANS OF—See Definition, Section 1102.

EXIT—See Definition, Section 1102.

EXIT ACCESS—See Definition, Section 1102.

FAMILY—means one or more persons living together, whether related to each other by birth or not, and having common housekeeping facilities.

FIRE DISTRICTS—(See Section 301.)

FIRE DOOR—means a door and its assembly, so constructed and assembled in place as to give the specified protection against the passage of fire.

FIRE PARTITION—means a partition of construction which subdivides a building to restrict the spread of fire or to provide areas of refuge, but is not necessarily continuous through all stories nor extended through the roof, and which has a fire-resistance rating as required by the Code.

FIREPROOF CONSTRUCTION—(Defined in Section 602).

FIRE-RESISTANCE RATING—means the time in hours that the material or construction will withstand the standard fire exposure as determined by a fire test made in conformity with the "Standard Methods of Fire

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Tests of Building Construction and Materials" of the American Society for Testing Materials (ASTM Designation E119-61).

**FIRE-RESISTIVE CONSTRUCTION**—(Defined in Section 603).

**FIRE RETARDANT (Pressure treated) WOOD**—means wood chemically impregnated in accordance with A. W. P. A. Specification C1-61. Which must have a flame spread rating not exceeding 25, with no evidence of significant progressive combustion when tested for 30 minutes in accordance with A. S. T. M. Specification E84-61. Such material must be permanently identified as to compliance with the above definition by an approved testing agency having a reexamination service.

**FIRE WALL**—(See Walls).

**FLAME SPREAD RATING**—Is that numerical value assigned to a material tested in accordance with ASTM E84-61 (Steiner Tunnel Test).

**FLOOR AREA**—means the area included within surrounding walls of a building exclusive of vent shafts and courts.

**FRONT OF LOT**—means the front boundary line of a lot bordering on the street, and in the case of a corner lot, may be either frontage.

**GALLERY**—means that portion of the seating space of an assembly room having a seating capacity of more than ten (10) located above a balcony.

**GARAGE**—means a building or structure or a portion thereof, in which a motor vehicle containing a flammable fluid in its fuel storage tank, is stored, housed, kept, repaired or serviced;

**AUTOMOTIVE SERVICE GARAGE**—means a garage where no repair-work is done except exchange of parts and maintenance requiring no open flame, cutting, welding or the use of highly flammable liquids;

**BASEMENT PARKING GARAGE**—means an enclosed parking garage located in a basement, and includes an underground parking garage;

**CARPORT**—means a garage attached to a dwelling and having one or more open sides;

**ENCLOSED PARKING GARAGE**—means a garage having exterior enclosure walls and used for the parking of motor vehicles;

**MOTOR VEHICLE SERVICE GARAGE**—means a garage in which a flammable fluid for retail supply to motor vehicles is stored, housed or sold;

**OPEN AIR PARKING GARAGE**—means a garage having not less than 50 per cent of two sides of the garage open to the air at each story and used for the parking of motor vehicles;

**REPAIR GARAGE**—means a garage wherein major repairs may be made to more than two motor vehicles at a time.

**GARAGE—PRIVATE GARAGE**—(Defined in Section 506).

**GARAGE—PUBLIC GARAGE**—means any garage other than a private garage.

**GRADE**—with reference to a building means, when the curb level has been established, the main elevation of the curb level opposite those walls that are located on, or parallel with and within fifteen (15) feet of, street

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lines; or, when the curb level has not been established, or all the walls of the building are more than fifteen (15) feet from street lines, GRADE means the average of the finished ground level at the center of all walls of a building.

GRADE—with reference to lumber, means the division of sawn lumber into quality classes with respect to its physical and mechanical properties as defined in published lumber manufacturers' standard grading rules.

HABITABLE ROOM—means a room occupied by one or more persons for living, eating, sleeping, or working purposes. It does not include toilets, laundries, serving and storage pantries, corridors, cellars, and spaces that are not used frequently or during extended periods.

HEATING—(All definitions in Chapter VIII).

HEAVY TIMBER CONSTRUCTION—(Defined in Section 604).

HEIGHT—as applied to a building, means the vertical distance from grade to the highest finished roof surface in the case of flat roofs or to a point at the average height of roofs having a pitch of more than one (1) foot in four and one-half (4½) feet; HEIGHT of a building in stories does not include basements and cellars, except as specifically provided otherwise.

HEIGHT—as applied to a story, means the vertical distance from top to top of two successive finished floor surfaces.

HEIGHT—as applied to a wall, means the vertical distance to the top measured from the foundation wall, or from a girder or other immediate support of such wall.

HORIZONTAL SEPARATION—means a permanent open space between the building wall under consideration and the lot line or the center line of a facing street, alley or publicway. Where two or more buildings are on a lot, the horizontal separation of the wall under consideration shall be measured from an imaginary line drawn at a distance from the facing wall equal to the horizontal separation required for that wall.

INCOMBUSTIBLE MATERIAL—is synonymous with NONCOMBUSTIBLE MATERIAL.

INDUSTRIAL OCCUPANCY—(Defined in Section 410.1).

INNER COURT—an open unoccupied space bounded by the walls of the building, but located within the exterior walls of the building.

INSTITUTIONAL OCCUPANCY—(Defined in Section 407.1).

INTERIOR LOT LINE—is synonymous with COMMON-PROPERTY LINE.

LINTEL—means the beam or girder placed over an opening in a wall which supports the wall construction above.

LIVE LOAD—(See Section 1203).

LOAD, DEAD—means the weight of all permanent construction including walls, floors, roofs, partitions, stairways and of fixed service equipment.

LOAD, LIVE—means the weight superimposed by the use and occupancy of the building or structure, not including the wind load, earthquake load or dead load.

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**LOT**—a parcel of land considered as a unit.

**LOT LINE**—means a line dividing one lot from another, or from a street or other public space.

**MALL**—means an area composed of sidewalks and landscaping which serves as a pedestrian thoroughfare between buildings but is not dedicated to public use.

**MASONRY**—means that form of construction, composed of stone, brick, concrete, gypsum, hollow clay tile, concrete block or tile, or other similar building units or materials or a combination of these materials laid up unit by unit and set in mortar. For the purpose of this Code, plain monolithic concrete shall be considered as masonry. (See Section 1402.6).

**HOLLOW MASONRY UNIT**—means a masonry unit whose net cross-sectional area in any plane parallel to the bearing surface is less than 75 per cent of its gross cross-sectional area measured in the same plane;

**MASONRY OF HOLLOW UNITS**—means masonry consisting wholly or in part of hollow masonry units laid contiguously in mortar;

**REINFORCED MASONRY**—means unit masonry in which reinforcement is imbedded in such a manner that the two materials act together in resisting forces.

**SOLID MASONRY**—means masonry consisting of solid masonry units laid contiguously in mortar, or consisting of plain concrete;

**SOLID MASONRY UNIT**—means a masonry unit whose net cross-sectional area in every plane parallel to the bearing surface is 75 per cent or more of its gross cross-sectional area measured in the same plane.

**MEZZANINE OR MEZZANINE FLOOR**—means an intermediate floor placed in any story or room. When the total area of any "MEZZANINE FLOOR" exceed thirty three and one-third (33 $\frac{1}{3}$ ) percent of the total floor area in that room, it shall be considered as constituting an additional "story." The floor height above or below a "MEZZANINE FLOOR" construction shall be not less than seven (7) feet.

**MIXED TYPES OF CONSTRUCTION**—has the meaning as set forth in Section 609 of this Code.

**MULTIPLE DWELLING**—has the same meaning as **APARTMENT HOUSE**.

**MULTIFAMILY HOUSE**—means a building or portion thereof containing three or more dwelling units; including tenement house, apartment house, flat.

**NONCOMBUSTIBLE**—as applied to a building construction material means a material which, in the form in which it is used, falls in one of the following groups (a) through (c). It does not apply to surface finish materials nor to the determination of whether a material is noncombustible from the standpoint of clearances to heating appliances, flues or other sources of high temperature. No material shall be classed as noncombustible which is subject to increase in combustibility or flame spread rating beyond the limits herein established, through the effects of age, moisture or other atmospheric condition. Flame spread rating as used herein refers to ratings



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obtained according to the Standard Test Method for Fire Hazard Classification of Buildings Materials of Underwriters' Laboratories, Inc., ASTM E84.

- (a) Materials no part of which will ignite when subjected to fire. Any material which liberates flammable gas when heated to any temperature up to 1380° F., for five minutes under any approved test conditions shall not be considered noncombustible within the meaning of this paragraph.
- (b) Materials having a structural base of noncombustible material, as defined in (a), with a surfacing not over 1/8-inch thick which has a flame spread rating not higher than 50.
- (c) Materials in the form and thickness used, other than as described in (a) or (b), having a flame spread of 25 without evidence of continued progressive combustion and of such composition that surfaces that would be exposed by cutting through the material in any way would not have a flame spread rating higher than 25 without evidence of continued progressive combustion.

**NON-COMBUSTIBLE CONSTRUCTION**—(Defined in Section 605.1).

**OCCUPANCY**—means the purpose for which a building is used or intended to be used. Change of occupancy is not intended to include change of tenants or proprietors.

**OCCUPIED**—as applied to a building, shall be construed as though followed by the words "or intended, arranged or designed to be occupied."

**MIXED OCCUPANCY**—means mixed occupancy as set forth in Section 412 of this Code.

**SPECIAL OCCUPANCY**—means Group H Occupancy, as set forth in Section 411 of this Code.

**ORDINARY CONSTRUCTION**—(Defined in Section 606).

**OWNER**—includes his duly authorized agent or attorney, a purchaser, devisee, fiduciary, and a person having a vested or contingent interest in the property in question.

**PERMANENT AWNING**—means a roof sheltering a sidewalk, platform or paved area.

**PENTHOUSE**—means an enclosed structure other than a roof structure, located on the roof, extending not more than twelve (12) feet above a roof.

**PERSON**—means a natural person, his heirs, executors, administrators, or assign, and also includes a firm, partnership, or corporation, its or their successors or assigns, or the agent of any of the aforesaid.

**PLACE OF ASSEMBLY**—means a room or space used for assembly or educational occupancy for 100 or more occupants.

**PLASTIC**—means a material that contains as an essential ingredient an organic substance of large molecular weight, is solid in its finished state, and, at some stage in its manufacture or in its processing into finished articles, can be shaped by flow.

**PUBLIC PARKING DECKS**—means a special structure limited in use only to the temporary parking of motor vehicles.

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**PREFABRICATED**--means fabricated prior to erection or installation on a building or structure foundation.

**PUBLIC PLACE**--means a thoroughfare or open space over 21 feet wide which is dedicated to a governmental body maintaining accessibility to the fire department and other public services.

**PUBLICWAY**--means a thoroughfare over 21 feet wide on privately owned, privately maintained property but designated for public use and which by agreement is kept accessible at all times to the fire department and other public services.

**REPAIR**--means the replacement of existing work with the same kind of material used in the existing work, not including additional work that would change the structural safety of the building, or that would affect or change required exit facilities, a vital element of an elevator, plumbing, gas piping, wiring or heating installations, or that would be a violation of a provision of law or ordinance. The term "Repair" or "Repairs" shall not apply to any change of construction.

**REQUIRED**--means required by some provision of this Code.

**RESIDENTIAL OCCUPANCY**--(Defined in Section 404.1).

**ROOF STRUCTURE**--means a structure above a roof or any part of a building enclosing a stairway, tank, elevator machinery or ventilating apparatus, or such part of a shaft as extends above the roof.

**ROOM CAPACITY**--(See Chapter XI).

**SCHOOL OCCUPANCY**--(Defined in Section 406.1).

**SEATING CAPACITY**--(See Chapter XI).

**SELF-CLOSING**--as applied to a fire door or other opening protectivas, means normally closed and equipped with an approved device which will insure closing after having been opened for use.

**SERVICE STATION**--(Defined in Section 505).

**SHAFT**--means a vertical opening extending through one or more stories of a building, for elevators, dumbwaiter, light, ventilation, or similar purpose.

**SHALL**--as used in this Code, is mandatory.

**SIGNS**--(See Chapter XXIII).

**SPECIAL OCCUPANCY**--(Defined in Section 411.1).

**SPRINKLERED**--means equipped with an approved automatic sprinkler system properly maintained. See Chapter IX.

**STAGE--GENERAL**--a stage is a partially enclosed portion of an Assembly Building, cut off from the audience section by a proscenium wall, which is designed or used for the presentation of plays, demonstrations, or other entertainment. "Stages" shall be classified as "working stage" and "non-working stage".

**STAGE--WORKING**--(Also Theatrical Stage--See Section 512.10)--a working stage is a partially enclosed portion of an Assembly Building, cut off from the audience section by a proscenium wall of masonry of not less than 4 hour fire-resistance construction, and which is equipped with scenery loft, gridiron, fly-gallery, and lighting equipment, and the pro-

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scenium opening shall be equipped with a fire-proof and smoke-proof curtain, and the depth from the proscenium curtain to the back wall shall be not less than fifteen (15) feet.

**STAGE—NON-WORKING**—a non-working stage is a partially enclosed portion of an Assembly Building, cut off from the audience section by a proscenium wall of not less than one-hour fire-resistive construction, without the equipment common to the Working Stage (such as fly gallery and gridiron) and of such dimensions that such equipment cannot be installed (but flat scenery may be used on such stage).

A fireproof curtain is not required for a non-working stage, but if there is a fabric or other curtain it shall be of incombustible materials or treated with an approved fire retardant. The depth of the stage may be more or less than fifteen (15) feet.

**STAGE, PLATFORM**—a platform is a raised section of floor within the assembly hall or auditorium area, and setting on the floor thereof, not enclosed above the platform floor level, and usually or relatively small area as compared to the auditorium seating area. A platform may be of permanent, temporary, or portable construction, it may have "flat" movable scenery and draw curtains.

**STAGE, ROSTRUM**—(See "platform"). Usually used for single or small group of persons such as lecturers, no scenery or curtains. May be permanent, temporary, or portable.

**STAGE, DAIS**—a small and low "platform" or "rostrum" may be placed on a "stage". May be permanent, temporary, or portable.

**STAGE, PODIUM**—a small "dais" of size sufficient to accommodate one or two persons, such as a band or orchestra conductor or a soloist. A "podium" may be located on a Stage, Platform, Rostrum, or Dais, or the floor of the audience section of a place of assembly. A podium is almost always a portable construction.

**STAIRWAY**—means one or more flights of stairs and the necessary landings and platforms connecting them, to form a continuous and uninterrupted passage from one story to another in a building or structure.

**STANDARD FIRE TEST**—means the fire test formulated under the procedure of the American Standards Association as "American Standard." This "American Standard" is the "Standard Methods of Fire Tests of Building Construction and Materials" of the American Society for Testing Materials (ASTM Designation E119-61).

**STORY**—means that part of a building comprised between a floor and the floor or roof next above. A mezzanine shall be considered a story if it exceeds 33½ per cent of the area of the floor immediately below. A pent house shall be considered a story if it exceeds 1,000 square feet or 33½ per cent of the roof area. The basement of a building used for educational occupancy shall be considered a story if it is used for purposes other than storage or heating.

**STREET**—means any public thoroughfare (street, avenue, boulevard, park) or space more than twenty (20) feet in width which has been dedicated or deeded to the public for public use.

**STREET LINE**—means a lot line dividing a lot from a street.

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**STRUCTURE**—means a combination of material to form a construction that is safe and stable; including among others, buildings, stadiums, reviewing stands, platforms, stagings, observation towers, radio towers, water tanks and towers, trestles, piers, wharves, sheds, coal bins, shelters, fences and display signs; the term structure shall be construed as if followed by the words "or part thereof."

**SURVEYOR**—within the meaning of this Code, shall be deemed to be duly registered and licensed surveyor or Civil Engineer.

**THEATER**—means a building, or part thereof, which contains an assembly hall with or without stage which may be equipped with curtains and permanent stage scenery or mechanical equipment adaptable to the showing of plays, operas, motion pictures, performances, spectacles and similar forms of entertainment. (See Section 408.)

**VALUATION OR VALUE**—as applied to a building, means the estimated cost to replace the building in kind.

**VENEER**—means a facing of brick, concrete, metal, stone, tile or similar material attached to a wall for the purpose of providing ornamentation, protection, or insulation, but not counted as adding strength to the wall.

**WALL, BEARING**—means a wall which supports any vertical load in addition to its own weight.

**WALL, CAVITY**—means a wall built of masonry units or of plain concrete, or a combination of these materials, so arranged as to provide an air space within the wall, and in which the inner and outer parts of the wall are tied together with metal ties.

**WALL, CURTAIN**—means a non-bearing wall between columns or piers and which is not supported by girders or beams, but is supported on the ground.

**WALL, FACED**—means a wall in which the masonry facing and backing are so bonded as to exert common action under load.

**WALL, EXTERIOR**—means a wall, bearing or non-bearing, which is used as an enclosing wall for a building, but which is not necessarily suitable for use as a Party Wall or Fire Wall.

**FIRE PARTITION**—(See FIRE WALL).

**WALL, FIRE**—means a wall of incombustible construction which subdivides a building or separates buildings to restrict the spread of fire and which starts at the foundation and extends continuously through all stories to and above the roof, except where the roof is of fireproof or fire-resistant construction and the wall is carried up tightly against the underside of the roof slab. (See Section 716).

**WALL, FOUNDATION**—means a wall below the first floor extending below the adjacent ground level and serving as support for a wall, pier, column or other structural part of a building.

**WALL OF MASONRY, HOLLOW**—means a wall built of masonry units so arranged as to provide an air space within the wall, and in which the inner and outer parts of the wall are bonded together with masonry units.

**WALL, NON-BEARING**—means a wall which supports no load other than its own weight.

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**WALL, PANEL**—means a non-bearing wall in skeleton or framed construction, built between columns or piers and wholly supported at each story.

**WALL, PARAPET**—means that part of any wall entirely above the roof line.

**WALL, PARTY**—means a wall used or adapted for joint service between two (2) buildings.

**WALL, RETAINING**—means any wall used to resist the lateral displacement of any material.

**WOOD FRAME CONSTRUCTION**—(Defined in Section 607).

**WRITING**—includes printing and typewriting.

**WRITTEN NOTICE**—shall be considered to have been served if delivered in person to the individual, or to the parties intended, or if delivered at or sent by registered mail to, the last business address of the party given the notice.

# USE AND OCCUPANCY

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**SUPPLEMENT TO CHAPTER XXI  
SECTION (11-X)**

**MAKING BUILDINGS AND FACILITIES ACCESSIBLE TO, AND USABLE BY,  
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## CHAPTER III—FIRE DISTRICTS

### SECTION 301—GENERAL BUILDING RESTRICTIONS— WITHIN FIRE DISTRICTS

#### 301.1—GENERAL

For the purpose of this Code there shall be established a fire district or zone, which shall be known as the first Fire District. A second Fire District may be established by ordinance. (See G.S. 160-124 and 160-237)

#### 301.2—TYPES OF CONSTRUCTION PERMITTED

Within the first and second fire districts every building hereafter erected shall be one of the following types except temporary structures as provided in Section 504:

- Type I—Fireproof.
- Type II—Fire-Resistive.
- Type III—Heavy Timber.
- Type IV—Non-Combustible Frame.
- Type V—Ordinary.

#### 301.3—OTHER SPECIFIC REQUIREMENTS

(a) *Exterior Walls*: Exterior walls of buildings located in Fire Districts shall comply with the requirements specified in Chapter VI and Table 600.

(b) *Group "H" Special Hazardous Not Permitted*: Every Group "H" occupancy shall be prohibited from location within the First Fire District.

(c) *Fire Protection*: Every building shall be fire protected throughout as specified for the various types of construction, Chapter VI.

(d) *Roof Coverings*: Roof coverings in the fire districts shall conform to the requirements for class 1 or 2 roof coverings, as defined in section 706, except that Class 3 Roof Covering may be permitted on existing one and two family wood frame dwellings in Fire District No. 2.

(e) *Interior Fire Protection—First Fire District*: In buildings over one story in height (unless of Type III Heavy Timber construction or sprinklered) all walls, floors, roofs and their supporting structural members shall provide not less than one (1) hour fire-resistance. (Temporary partitions are set forth in Section 702.2.)

#### 301.4—SCOPE

(a) Each Fire District shall include such territory or portion as outlined in an ordinance or law entitled, such as, "An Ordinance (Resolution) Creating and Establishing Fire Districts". Whenever, in such ordinance creating and establishing Fire Districts, reference is made to only one Fire District, it shall be construed to mean the First Fire District designated and referred to in this Chapter.

(b) The First Fire District shall include the main business portion of the City. The main business portion may include what is referred to as the "downtown" shopping area and concentrated shopping or business centers. (See G.S. 160-124)

(c) The Second Fire District may include areas immediately surrounding a First Fire District and less concentrated shopping or business centers. (See G.S. 160-236)

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**SECTION 302—CHANGES TO BUILDINGS**

**302.1—WOOD FRAME BUILDINGS**

Within the first fire District (fire limits as defined in G.S. 160-124) of cities and towns, no Wood Frame Building shall be erected, altered, repaired or moved except upon the permit of the building Inspector and approved by the Insurance Commissioner. Repairs and alterations shall be limited to buildings used for dwelling purposes only. Within the second fire district, alterations and repairs are permitted in accordance with Section 302.3. (G.S. 160-126)

**302.2—EXISTING BUILDINGS**

Within the First and Second Fire Districts no existing building shall be hereafter increased in height unless it is of a type of construction permitted for new buildings within such Fire Districts, or is altered to comply with the requirements for such type of construction; nor shall any existing building be hereafter extended on any side, unless such extensions are of a type of construction permitted for new buildings within such Fire Districts.

**302.3—ALTERATIONS—GENERAL**

Nothing in this section, however, shall prohibit other alterations (except on wood frame buildings) within the Fire Districts, provided there is no change of occupancy that is otherwise prohibited and provided the fire hazard is not increased by such alterations. (Refer to Section 302.1 for alterations on Wood Frame Buildings.)

**302.4—MOVING BUILDINGS**

No building shall hereafter be moved from one Fire District into another or to another lot in the same District unless its type of construction is permitted in the District into, or within, which it is to be moved. (See Section 2604—Regulations for Moving Buildings).

**SECTION 303—BUILDINGS LOCATED IN TWO DISTRICTS**

Any building located in more than one Fire District shall be of a type of construction required for the most highly restricted District unless the major part of such building lies outside of such District, and no part is more than ten (10) feet inside the boundaries of such district.

**SECTION 304—EXCEPTIONS TO RESTRICTIONS  
IN FIRE DISTRICTS**

**304.1—FIRST FIRE DISTRICT**

The preceding provisions of this chapter shall not apply to temporary buildings used in connection with duly authorized construction, nor to water tanks or cooling towers conforming to Section 713 and 714, nor to display signs conforming to Chapter XXIII.

**304.2—FIRST AND SECOND FIRE DISTRICTS**

The exceptions in the First and Second Fire Districts shall be as follows:

1. A private garage used exclusively as such, not more than one story in height, nor more than six hundred and fifty (650) sq. ft. in area located on the same lot with a dwelling.

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2. Fences not over eight (8) feet in height.
3. Coal tipples, material bins, trestles conforming to Section 503.
4. Water tanks and cooling towers conforming to Sections 713 and 714.
5. Greenhouses less than fifteen (15) feet high.
6. Porches on dwellings, not over one story in height and not over ten (10) feet wide from the face of the building, provided such porch does not come within 5 feet of any property line.
7. Display signs as provided in Chapter XXIII.
8. Sheds, open on a long side, not over 15 feet high or 500 square feet in area.

**304.3—OUTSIDE OF FIRE DISTRICT**

Outside the First and Second Fire Districts all types of construction are permitted provided they comply with the provisions prescribed elsewhere in this Code that apply regardless of location. Roof coverings shall conform to the requirements as defined in Section 706.

## CHAPTER IV—CLASSIFICATION OF BUILDINGS BY OCCUPANCY

### SECTION 401—CLASSIFICATION BY OCCUPANCY OR USE

#### 401.1—GENERAL

Every new and existing building, or part thereof, shall for the purpose of this Code, be classified according to its use or occupancy as a building of one of the following OCCUPANCY GROUPS:

- GROUP A—RESIDENTIAL
- GROUP B—BUSINESS
- GROUP C—SCHOOL
- GROUP D—INSTITUTIONAL
- GROUP E—ASSEMBLY
- GROUP F—STORAGE
- GROUP G—INDUSTRIAL
- GROUP H—HAZARDOUS
- GROUP I—FALLOUT SHELTERS

Each occupancy group is intended to embrace buildings as hereinafter defined and those of similar character or use. Wherever there is any uncertainty as to the classification of a building, the Building Official shall fix the classification within which it falls, according to the relative fire hazard involved.

#### 401.2—PROTECTIVE REQUIREMENTS—ALL OCCUPANCY GROUPS

	SECTION
1. Allowable Height and Area	402.1 to 403.6, inclusive
2. Type of Construction	601 to 611, inclusive
3. Exit Requirements	1101 to 1126, inclusive
4. Protection of Vertical Openings	701.1 to 701.4, inclusive
5. Protection of Wall Openings	703.1 to 703.7, inclusive
6. Sprinklers and Standpipes	901.1 to 902.5, inclusive
7. Mixed Occupancy Separations	412
8. Light, Ventilation	Chapter VIII
9. Heating Requirements	Chapter XXIX
10. Separation of Furnace or Boiler Rooms	2901

### SECTION 402—HEIGHT AND AREA RESTRICTIONS

#### 402.1—APPLICATION

In the protection of each occupancy, the maximum height and area for buildings of the different types of construction, shall be governed by the intended use of the buildings, or occupancy, as provided for in this Chapter and shall not exceed the limits set forth in Table 402 except as provided in Sections 402 and 403.

## Section 403

### 402.2—DEFINITIONS

For the purpose of this Code, "height" and "area", as applied to a building, has the meaning designated in Chapter II, Definitions.

### 402.3—EXCEPTIONS—HEIGHT

Church spires, chimneys, tanks and supports, aerial supports, parapet walls not over four (4) feet high, bulkheads and penthouses used solely to enclose stairways, tanks, elevator machinery or shafts, or ventilation or air-conditioning apparatus, need not be considered in determining the highest point of the building; provided that the highest point shall be taken to be the high point of the roof of the highest penthouse when the aggregate area of all penthouses and other roof structures exceeds twenty (20) percent of the area of the roof upon which they stand. (See requirements of Section 712, 713, and 714).

### 402.4—MEZZANINES

Mezzanine floors or galleries shall not be regarded as a story unless they exceed thirty-three and one-third (33 $\frac{1}{3}$ ) percent of the aggregate floor area.

### 402.5—LIMITATIONS, HEIGHT

The basement or cellar of a building shall not count as a story. (See definition of Basement)

### 402.6—HEIGHT INCREASE FOR SPRINKLERS

The maximum allowable number of stories for Group A, B, F and G occupancies may be increased by one story if the building is provided with automatic sprinklers throughout in accordance with Section 901 of Chapter IX, except such height increase shall not be permitted in buildings where the installation of automatic sprinkler equipment is a mandatory requirement of this code, or when the provisions of Section 403.4 are used.

## SECTION 403—EXCEPTIONS TO AREA RESTRICTIONS

### 403.1—GENERAL

The exceptions and requirements of this Section shall modify the area limits of this Chapter, as herein provided.

### 403.2—AREA INCREASES NOT PERMITTED (WITH EXCEPTION)

The increase of floor areas permitted by this Section may be additive when applicable, except that in buildings where because of occupancy, type of construction or fire districts, automatic sprinkler equipment is required as specified in Section 901, no increase of area shall be permitted because of such equipment, except as provided in Section 403.6.

### 403.3—EXCEPTIONS—AREA—FIRE DIVISION WALLS

(a) *General*: For the purpose of this Code, each part of a building included within fire walls shall be deemed to be a separate building.

(b) *New Buildings*: No building shall be limited in area when divided into sections by fire walls, provided no section exceeds the maximum allowable floor area in this Chapter.

(c) *Existing Buildings*: No building hereafter erected shall be extended to exceed the maximum floor area set forth in this chapter, governed by the occupancy and type of construction. However, a building heretofore lawfully erected, which already exceeds such maximum area, may be extended, provided such extension does not exceed the maximum area prescribed and provided such extension is separated from the existing building by a fire wall.

#### 403.4—AREA INCREASE FOR SPRINKLERS

(Inside and Outside of Fire Limits)

(a) Where a building is equipped with an approved automatic sprinkler system, the floor area limits for any story may be increased by 200 percent except where the average height to the roof, or to a fire retardant ceiling does not exceed 25 feet in a one story building, the floor area limits may be increased by 300 percent. The percentage increase shall be applied to the areas allowed in Table 402. This Section cannot apply where Section 402.6 is used.

#### 403.5—RATE OF INCREASE FOR SEPARATION

(a) Where a building has more than 25 percent of its perimeter fronting on a street, public place or public way 21 feet or more in width and such frontage has the access openings in each story above the basement as required in Section 717 the limiting areas in Table 402 may be increased by one of the following:

Formula

$$I = \frac{2AF}{P} \text{ minus } \frac{A}{2}$$

in which

I = increase in area in square feet but shall not exceed A.

A = area limit in table 402 in square feet.

P = building perimeter in feet.

F = length in feet of the frontage facing on a street, public way or public place 21 feet or more in width, unencumbered and accessible from street.

(b) Where a building of rectangular shape is erected on a corner lot so that 2 of its sides front on a street or on a public place 21 feet or more in width, unencumbered and accessible from a street, the limiting areas in Table 402 may be increased by 50 percent.

(c) Where a building is erected on a lot so that all of its sides front on a street or on a public place 21 feet or more in width, unencumbered and accessible from a street, the limiting areas in Table 402 may be increased by 100 percent.

#### 403.6—AREA INCREASE FOR ONE HOUR CONSTRUCTION

The limiting areas of buildings may be increased as shown in Table 402 for 1-hour protected when all structural members including walls, columns, piers, beams, girders, joists, trusses, floors and roofs have a fire resistance rating of not less than one hour.

#### 403.7—UNLIMITED AREAS FOR GROUP B, F AND G

Buildings of noncombustible construction, and heavy timber construction in which all wood members are of approved fire retardant treated lumber, may be unlimited in area when complying with all the following provisions:

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(a) Buildings of protected noncombustible construction shall not exceed 2 stories in height without basement, and buildings of unprotected noncombustible construction and of heavy timber construction in which all wood members are of approved fire retardant treated lumber shall not exceed one story in height without basement.

(b) The entire building shall be equipped with an approved automatic sprinkler system except that buildings occupied exclusively by stocks of noncombustible material not packed or crated in combustible material need not be sprinklered.

(c) A permanent accessible open space of 60 feet shall be provided between the building wall under consideration and another building on the same lot or the nearest line to which a building is or may be legally built on another lot. The required 60 feet open space may be reduced to not less than 30 feet on one side provided the building wall facing the reduced open space is built as a fire wall, is not more than 25 percent of the total perimeter in length and there are fire department access openings required by Section 717, protected by approved fire doors.

(d) Means of egress shall be provided in accordance with Chapter XI.

(e) Proper safeguards must be taken in connection with the handling of materials and processing equipment in compliance with the appropriate N.F.P.A. standard. See Chapter V and Appendix H.

### 403.8—AREA INCREASE FOR FIRE RETARDANT LUMBER

(a) One story buildings of ordinary construction in which all wood members are of approved fire retardant lumber and roof assemblies have been tested and listed by a nationally recognized testing laboratory as not permitting any greater propagation of flame on the underside of the roof assembly than a metal deck roof with combustible insulation board mechanically fastened to the top of the metal deck may be of 100,000 square feet in area when complying with all of the conditions in Section 403.7.

(b) The limiting areas of one-story buildings of heavy timber and ordinary construction may be increased by 33½ percent provided all wood members are of approved fire retardant treated lumber and roof assemblies have been tested and listed by a nationally recognized testing laboratory as not permitting any greater propagation of flame on the underside of the roof assembly than a metal deck roof with combustible insulation board mechanically fastened to the top of the metal deck.

(c) The limiting areas of one-story buildings of Type VI wood frame construction may be increased 25 percent provided all wood members are of approved fire retardant treated lumber.

## SECTION 404—GROUP "A"—RESIDENTIAL

### 404.1—SCOPE

Buildings in which families or households live or in which sleeping accommodations are provided, and all dormitories, shall be classified as Group A—Residential Occupancy. Group A—Residential Occupancy—shall include, among others, the following:

Dwellings

Multiple Dwellings (more than two families)



Hotels	Convents
Dormitories	Monasteries
Lodging Houses	Motels

**404.2—SPECIAL REQUIREMENTS, GROUP "A" OCCUPANCY**

Storage and handling of flammable liquids shall be prohibited in every Group "A" Occupancy. Not more than one (1) gallon of flammable liquid, used for cleaning purposes only, may be kept in a residence, provided such flammable liquid is kept in an approved container, used especially for that purpose.

One hour walls and ceilings required between apartments.

When one exit is permitted. Section 1103.2.

**SECTION 405—GROUP "B"—BUSINESS**

**405.1—SCOPE**

Buildings which are occupied for business or rendering of professional services shall be classified in Group B-1; buildings which are occupied for the sale or display of merchandise such as department stores, shopping centers, supermarkets, etc., or the supplying of food or drink, shall be classified in Group B-2.

Group B—Business Occupancy includes, among others, the occupancies listed below, but does not include buildings used for any purpose involving highly combustible, inflammable or explosive materials.

**Group B-1**

Greenhouses	Undertaking parlors
Filling stations	Temporary structures
Banks	Office buildings
Bowling alleys	Doctors offices

**Group B-2**

Stores	Markets
Shops	Restaurants (see exception 405.2)
Drug Stores	Shopping Centers

**405.2—EXCEPTION**

Restaurants or places supplying food or drink that accommodate 75 or more people, or that have a stage, or that provide dancing or entertainment features, shall be classified in Group E—Assembly and not in Group B—Business Occupancy (See Section 408).

**405.3—SPECIAL REQUIREMENTS GROUP "B" OCCUPANCY**

	<b>SECTION</b>
1. Special Exit Requirements	<b>Chapter XI</b>
2. Temporary Structures	<b>504</b>
3. Filling Stations	<b>505</b>
4. Greenhouses	<b>509</b>
5. Bowling Alleys	<b>513</b>
6. Storage and handling of flammable liquids shall be prohibited; except in Group B-2 (retail stores) that are not in excess of Section 411.2(b); except filling stations which shall conform to Section 501.1(f).	<b>901.7</b>
7. Sprinkler Requirements	<b>901.7</b>



TABLE 402—HEIGHT AND AREA RESTRICTIONS  
(Area per floor shown beside number of stories)

USE GROUP	TYPE OF CONSTRUCTION									
	TYPE I Fireproof Height Limitations	TYPE II Fire Resist. (80 Feet)	TYPE III Heavy Timber (66 Feet)	TYPE IV—Noncombustible		TYPE V—Ordinary		TYPE VI—Wood Frame		
				1-Hour Protected (76 Feet)	Unprotected (85 Feet)	1-Hour Protected (45 Feet)	Unprotected (45 Feet)	1-Hour Protected (35 Feet)	Unprotected (35 Feet)	
E-1 Large Assembly (Working Stage)	No Area Limits	No Area Limits 80 Feet Height Limits	Not Permitted	Not Permitted	(d)	(d)	(d)	Not Permitted	Not Permitted	
E-1 Large Assembly (Non-Working Stage)	No Area Limits	No Area Limits 80 Feet Height Limits	(1) 15,000	(1) 18,000	(1) 10,000	(1) 10,000	(1) 12,000	(1) 8,000	Not Permitted	
E-2 Small Assembly (Working Stage)	No Area Limits	No Area Limits 80 Feet Height Limits	(1) 15,000	(1) 18,000	(1) 10,000	(1) 10,000	(1) 12,000	(1) 8,000	(1) 5,000	
E-2 Small Assembly (Non-Working Stage)	No Area Limits	No Area Limits 80 Feet Height Limits	(1) 15,000	(1) 18,000	(1) 10,000	(1) 10,000	(1) 12,000	(1) 8,000	(1) 5,000	
F Storage (n) (o)	(o) 100,000	(o) to (3) 20,000 (6) 20,000 (2) 30,000 (1) 30,000	(m) (g) (o) (3) to (6) 10,000 (2) 15,000 (1) 20,000	(m) (o) (4) 10,000 (3) 10,000 (2) 15,000 (1) 20,000	(m) (o) (3) 6,000 (2) 10,000 (1) 12,000	(m) (o) (4) 8,000 (3) 8,000 (2) 12,000 (1) 15,000	(m) (o) (4) 8,000 (3) 8,000 (2) 12,000 (1) 15,000	(m) (o) (3) 4,000 (2) 6,000 (1) 9,000	(o) (o) (1) 9,000 (1) 6,000	
G Industrial (n) (o)	(o) 100,000	(o) to (3) 20,000 (8) 20,000 (2) 30,000 (1) No Limit	(g) (o) (3) to (6) 10,000 (2) 15,000 (1) 20,000	(m) (o) (3) to (6) 10,000 (2) 15,000 (1) 20,000	(m) (o) (3) 6,000 (2) 10,000 (1) 12,000	(m) (o) (3) 9,000 (2) 12,000 (1) 15,000	(m) (o) (3) 9,000 (2) 12,000 (1) 15,000	(m) (o) (3) 4,000 (2) 7,000 (1) 9,000	(o) (o) (1) 9,000 (1) 6,000	
H Special Hazardous (h) (o) (j)	(4) 5,000 (8) 5,000 (2) 7,500 (1) 11,500	(3) 4,000 (2) 6,000 (1) 8,300	(2) 6,000 (1) 7,500	(1) 5,000	(1) 5,000	(1) 5,000	(1) 5,000	(1) 5,000	Not Permitted	

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TABLE 402—NOTES

- (a) When over four stories in height 2-hour fire-resistive floors shall be required over the basement or cellar.
- (b) The height of Type II Fire-Resistive construction for buildings of Group (B) Business Occupancies shall not be limited provided the fire-resistance of all columns shall be not less than 3 hours and of the other structural members including floors, shall not be less than shown in Chapter VI, but in no case less than 2 hours except that roofs shall be of not less than 1-1/2 hours fire-resistive construction.
- (c) Floors located immediately above useable space in basement or cellars shall have a fire-resistive rating of not less than 1-hour except where an approved automatic sprinkler system is provided. Basements or cellars used as classrooms or assembly rooms shall be counted as a story.
- (d) 1-hour fire-resistive floors shall be provided.
- (e) May be increased 33-1/3 percent for places of worship.
- (f) When over two stories in height an approved automatic sprinkler system shall be installed throughout the building, or all walls, partitions, floors, roofs and their supporting structural members shall provide not less than one (1) hour fire resistance within the building except that roofs of Type IV construction need not be protected.
- (g) When over 3 stories in height an approved automatic sprinkler system shall be installed throughout the building.
- (h) No modification in area shall be permitted in Group "H" special hazardous occupancies.
- (i) The area of a one-story Type III, IV or V building may be increased (100%) one hundred percent if the building is surrounded on all sides by a permanent open space of not less than (60) sixty feet, and there are not less than two exits provided from each classroom, one of which opens directly to the exterior of the building.
- (j) See Chapter V for special detail requirements of Group "H" Special Hazardous Occupancies.
- (k) At least one-hour interior fire resistive construction shall be used throughout in all buildings two or more stories in height.
- (l) At least one-hour fire resistive construction shall be provided throughout all buildings.
- (m) When over two stories in height an approved automatic sprinkler system shall be installed throughout the building.
- (n) See Section 403.7 for unlimited area provisions.
- (o) See Table 901.7 for sprinkler requirements.

## SECTION 406—GROUP "C"—SCHOOLS

### 406.1—SCOPE

Buildings in which people come together for education or instructional purposes shall be classified in Group "C"—School Occupancy.

Group C—School Occupancy shall include, among others, the following:

Schools	Nursery Schools
Colleges	Academies
Universities	Kindergartens

### 406.2—EXCEPTION

Parts of buildings used for the congregating or gathering of 75 or more persons in one room shall be classified as in Group E—Assembly Occupancy —(see Section 408), regardless of whether such gathering is of an educational or instructional nature or not.

Schools for business or vocational training shall be classified in the same occupancies and conform to the same requirements as the trade, vocation or business taught.

### 406.3—SPECIAL REQUIREMENTS, GROUP "C" OCCUPANCY

	SECTION
1. Non-combustible Stairways Required	1115
2. Corridors Required to Have 1-Hour Rating	1123.2
3. Special Exit Requirements	1104

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4. No classroom shall occupy basement room fifty (50) percent below ground level.
5. Every heating appliance which produces an unprotected open flame shall be prohibited. 2902
6. Storage and handling of flammable liquids shall be prohibited.
7. Where permanent motion picture projectors are used, booths shall be provided, as set forth in Section 512.25.
8. Small children shall be on first floor.  
The lower grades shall be located in the classrooms nearest the exits.
9. Furnace and fuel rooms shall be separated by 2 hour rated walls and ceilings with no openings except to the outside of the building. (Section 2902)

**SECTION 407—GROUP "D"—INSTITUTIONAL**

**407.1—SCOPE**

Buildings in which more than two people are detained for penal or correctional purposes; or in which the liberty of the inmates is restricted, or places of involuntary detention, shall be classified in Group D-1.

Buildings in which more than five people are harbored for medical, charitable or other care or treatment shall be classified in Group D-2.

Group D-1—Institutional Occupancy—shall include, among others, the following:

Reformatories	Prisons
Jails	Mental Hospitals

Group D-2—Institutional Occupancy—shall include, among others, the following:

Hospitals	Old People's Homes
Sanitoriums	Nursing Homes
Orphanages	

**407.2—EXCEPTION**

Dormitories for doctors, nurses, and able-bodied help (not for patients or inmates) of Institutional buildings shall be classified as Group A—Residential Occupancy.

**407.3—SPECIAL REQUIREMENTS—GROUP "D" OCCUPANCY**

	SECTION
1. Special Exit Requirements	1104
2. Non-Combustible Stairways Required	1115
3. Handling and Storage of Combustible Film	501.3
4. Storage and Handling of Flammable Liquids shall be prohibited.	
5. At least 1-hour construction required	516
6. Sprinkler or fire detection system required.	516

**SECTION 408—GROUP "E"—ASSEMBLY**

**408.1—SCOPE**

Buildings in which provision is made for the congregation or gathering of seventy-five (75) or more persons in one room or space shall be classified in Group E—Assembly Occupancy. Such room or space shall include any occupied connecting room or space in the same story, or in a story or

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stories above or below, where entrance is common to the rooms or spaces. This occupancy includes buildings having an auditorium and a stage provided for the use of movable scenery, or having an auditorium for viewing motion pictures or for theatrical purposes.

Group E—Assembly Occupancy shall include, among others, the following:

Passenger Depots	Motion Picture Houses
Libraries	Public Assembly Halls
Stadiums and Grandstands	Churches
Restaurants (large)	Museums
Amusement Park Buildings	Auditoriums
Tents (Assembly)	Dance Halls
Theaters	Recreation Halls
Gymnasiums	Skating Rinks

### 408.2—SUB-CLASSIFICATIONS

Group E shall be divided into two sub-classifications as set forth in this Section, both of which shall comply with the requirements for Group E Occupancy unless otherwise specified:

#### (a) Group E-1—LARGE ASSEMBLY

Group E-1 shall include theaters and places of public assembly having a working stage (see definition) and having a capacity of seven hundred (700) or more people; also, Group E-1 shall include theaters or places of assembly having a non-working stage but having a capacity of 1,000 or more people.

#### (b) Group E-2—SMALL ASSEMBLY

Group E-2 shall include theaters and places of assembly having a capacity of 75 or more persons but having a capacity less than designated for Group E-1.

### 408.3—METHOD OF DETERMINING CAPACITY

The capacity of occupant content of theaters and places of assembly shall be determined according to the actual number of persons that will occupy the space. In computing the occupancy capacity, the capacity shall not be less than six (6) square feet of floor area per person with fixed seats, or fifteen (15) square feet of floor area per person where fixed seats are not provided.

### 408.4—SPECIAL REQUIREMENTS—GROUP "E" OCCUPANCY

	SECTION
1. Special Exit Requirements	Chapter XI
2. Non-Combustible Stairway Requirements	1115
3. Special Requirements governing the necessary features for total protection of Group "E" Assembly Occupancies, shall be in accordance with Section 512.	
4. Tents	504.2
5. Stadiums and Grandstands	510
6. Amusement Park Buildings	511
7. Storage and handling of flammable liquids and combustible gases shall be prohibited.	

## SECTION 409—GROUP "F"—STORAGE

## 409.1—SCOPE

Buildings which are used for the storage of goods, wares or merchandise, excepting limited storage incidental to the display, sale or manufacture of such goods, wares or merchandise, shall be classified in Group F—Storage Occupancy.

Group "F"—Storage Occupancy—shall include, among others, the occupancies listed in this Section, but does not include buildings used to store highly combustible, inflammable or explosive products or materials (See Section 411):

Airplane Hangars	Warehouses
Coal Pockets	Storage Buildings
Garages	Freight Depots

## 409.2—SPECIAL REQUIREMENTS—GROUP "F"—STORAGE

	SECTION
1. Non-combustible Stairway Requirements	1115
2. Occupancy Permit for Changed Floor Loads	1207
3. Posting of Floor Loads Required	1002
4. Airplane Hangars	502
5. Coal Pockets	508
6. Garages	
Private	506
Public	508
7. Storage and handling of flammable liquids shall conform to	501.1(f)

## SECTION 410—GROUP "G" INDUSTRIAL

## 410.1—SCOPE

Buildings in which work or labor is performed in connection with the fabrication, assembly, processing, etc., of products or materials shall be classified in Group G—Industrial Occupancy. Group G—Industrial Occupancy—shall include, among others, the occupancies listed in this Section, but does not include buildings used for any purposes involving highly combustible, inflammable, or explosive products or materials (See Section 411):

Manufacturing Plant	Mill
Factory	Laboratories
Assembly Plant	Dry Cleaning Plants
Laundries	(Using Non-Combustible
Processing Plant	Cleaning Fluid)

## 410.2—SPECIAL REQUIREMENTS GROUP "G"—INDUSTRIAL

	SECTION
1. Occupancy Permit Required for Changed Floor Loads	1207
2. Posting of Floor Loads Required	1002
3. Storage and Handling of Flammable Liquids shall conform to	501.1(f)
4. Unlimited Areas	403.7

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SECTION 411—GROUP "H"—SPECIAL HAZARDOUS

411.1—SCOPE

Buildings or structures used for purposes that involve highly combustible, inflammable or explosive products or materials or that constitute exceptional fire hazards, because of the form, character or volume stored, processed or manufactured, shall be classified in Group H—Hazardous Occupancy.

GROUP H—Special Hazardous Occupancy—shall include among other, the following:

Dry Cleaning Establishments Using Combustible Cleaning Fluid  
Grain Elevators  
Storage or use of Highly Combustible Materials  
Storage of Combustible Film

411.2

The processing, manufacturing or storing of the following materials, among others, shall be classified as a special fire hazard, (Group "H"—Special Hazardous Occupancy), because of the highly combustible and explosive quality of the materials involved. They shall be classified in two groups as set forth below:

(A) The following materials or products stored shall be classified as Group "H"—Special Hazardous Occupancy, regardless of the volume or quantity stored or handled:

*Acids:* Sulphuric, Nitric or Hydrofluoric—*Calcium Carbide*—Asphaltum—Celluloid. *Chemicals:* Poisonous, combustible, explosive—Cereal, flour or feed mills—Cork—Excelsior—Petroleum Products (Not retail gasoline service stations) Pyroxylin and Pyroxylin Plastic Products—Shoddy Milles—Loose Spices and Vegetable Stocks (not retail stores)—Explosives—Feather Renovating—Films (see Section 501.3) Fireworks—*Gas:* Poisonous irritating and flammable—Jute—Kapok—Munitions—Naval Stores—Nitrate of Soda—*Paper:* Baled Waste—Oakum or Hemp Processing—*Paints:* Manufacturing—Starch Mills—Waste Paper—Rubber Manufacturing Plants.

(B) Materials or products stored or handled in quantities in excess of the cubic foot areas set forth below shall be classified as Group "H"—Special Hazardous Occupancy:

	In Excess Of
Acetylene gas in pressure release containers	2000 cu. ft.
Artificial flowers	1200 cu. ft.
Artificial leather	600 cu. ft.
Bags—Burlap, paper or cotton	1000 cu. ft.
Cotton (Loose) Wadding or Waste	400 cu. ft.
Enameling	2400 cu. ft.
Fertilizer (Bags only)	2700 cu. ft.
Lacquers (Separate containers only)	3600 cu. ft.
Matches	300 cu. ft.
Mattresses	4800 cu. ft.
Paints (Separate metal containers only)	6000 cu. ft.
Spray paintings shops	3200 cu. ft.
Tires (Recapping)	Over four recapping machines
Tires—Storage	4000 cu. ft.
Varnish—Turpentine (Separate metal containers only)	2400 cu. ft.



**411.3—PROTECTIVE REQUIREMENTS—GROUP “H”—SPECIAL HAZARDOUS**

The hazards involved under Group “H”—Special Hazardous—require provisions that give adequate protection for these special occupancies. The occupancies in this group shall conform to the special requirements as set forth in Section 500 and 501 and Appendix H.

**SECTION 412—MIXED OCCUPANCY AND SEPARATION REQUIREMENTS**

**412.1—DEFINITIONS**

When a building is used for two or more occupancies, classified within different occupancy groups, it shall be considered a mixed occupancy.

**412.2—LIMITATIONS**

A mixed occupancy building shall be governed by the height and area limitations applying to the occupancy for which those limitations, as specified in this Code, are the most restrictive.

**412.3—SEPARATION**

For each occupancy, the type of construction may be as prescribed for such occupancy in a building of the height and area of the building as a whole, provided each occupancy is wholly separated, horizontally and vertically, by constructions having fire-resistive ratings equivalent to the higher rating prescribed for the two occupancies being separated, as noted in Section 412.5.

**412.4—MINIMUM SEPARATION**

Unless, as otherwise specifically prescribed in this Section the separation of mixed occupancies shall provide not less than one (1) hour fire protection, except that portions of buildings used as accessory offices or for customary non-hazardous uses necessary for transacting the principal business of Group F Storage and Group G Industrial occupancies may be separated by partitions of non-combustible construction without fire-protection or by partitions constructed of materials as permitted in the type of construction used.

**412.5—FIRE-RESISTIVE RATING OF SEPARATION**

The minimum fire-resistance of constructions separating any two occupancies in a building of mixed occupancy, shall be the higher rating required for the occupancies being separated, as specified below:

**MINIMUM REQUIREMENTS\***

Group A—Residential	1 Hr. fire-resistive separation
Group B—Business	1 Hr. fire-resistive separation
Group C—School	2 Hr. fire-resistive separation
Group D—Institutional	2 Hr. fire-resistive separation
Group E-1—Large Assembly	4 Hr. fire-resistive separation
Group E-2—Small Assembly	2 Hr. fire-resistive separation
Group F—Storage	4 Hr. fire-resistive separation
Group G—Industrial	2 Hr. fire-resistive separation
Group H—Special Hazardous	4 Hr. fire-resistive separation
Group I—Fallout Shelters	None

\*For materials and assemblies to provide the required fire-resistive construction, see Vol. I-A.

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A separation between a private garage and any occupancy shall be the minimum fire-resistance specified above for the occupancy except in the case of a one or two-family dwelling no fire-resistive separation shall be required. No separation shall be required between a Sunday School room or rooms and a Church Auditorium of Group E-2 Small Assembly.

**412.6—PROTECTION OF HORIZONTAL OPENINGS**

For requirements governing the protection of door openings in walls and partitions separating mixed occupancies, see Section 703.4.

**412.7—PROTECTION OF VERTICAL OPENINGS**

For requirements governing the protection of vertical openings, see Section 701.