



APPENDIX C CODE CHANGE PROPOSAL NORTH CAROLINA BUILDING CODE COUNCIL

325 North Salisbury Street, Room 5_44
Raleigh, North Carolina 27603
(919) 647-0009
carl.martin@ncdoi.gov

Petition for Rule Making Item Number _____

Granted by BCC _____ Adopted by BCC _____ Approved by RRC _____
 Denied by BCC _____ Disapproved by BCC _____ Objection by RRC _____

PROPONENT: Charlie Johnson PHONE: 919-647-0094
 REPRESENTING: NC Department of Insurance – Office of State Fire Marshal
 ADDRESS: 325 N. Salisbury Street
 CITY: Raleigh STATE: NC ZIP: 27603
 E-MAIL: charlie.johnson@ncdoi.gov FAX: 919-715-0067

North Carolina State Building Code, Volume Fire Code - Section D107.1

CHECK ONE: Revise section to read as follows: Delete section and substitute the following:
 Add new section to read as follows: Delete section without substitution:

LINE THROUGH MATERIAL TO BE DELETED UNDERLINE MATERIAL TO BE ADDED

Please type. Continue proposal or reason on plain paper attached to this form. See reverse side for instructions.

D107.1 One- or two-family dwelling residential developments.

Developments of one- or two-family dwellings where the number of *dwelling units* exceeds 100 ~~30~~ shall be provided with two separate and *approved* fire apparatus access roads.

Exceptions:

1. Where there are more than 100 ~~30~~ *dwelling units* on a single public or private fire apparatus access road and all *dwelling units* are equipped throughout with an *approved automatic sprinkler system* in accordance with Section 903.3.1.1, 903.3.1.2 or 903.3.1.3 of the *International Fire Code*, access from two directions shall not be required.

Will this proposal change the cost of construction? Decrease Increase No
 Will this proposal increase to the cost of a dwelling by \$80 or more? Yes No
 Will this proposal affect the Local or State funds? Local State No
 Will this proposal cause a substantial economic impact (≥\$1,000,000)? Yes No

- Non-Substantial – Provide an economic analysis including benefit/cost estimates.
- Substantial – The economic analysis must also include 2-alternatives, time value of money and risk analysis.
- Pursuant to §143-138(a1)(2) a cost-benefit analysis is required for all proposed amendments to the NC Energy Conservation Code. The Building Code Council shall also require same for the NC Residential Code, Chapter 11.

REASON: Session Law 2021-121 as included below directs the Building Code Council to adopt a rule to amend the above listed section to be substantively identical to the provisions of subsection 6.(c) of the law included below:

SECTION 6.(a) Definitions. – As used in this section, "Council" means the North Carolina Building Code Council, and "Code" means the current North Carolina Building Code collection, and amendments to the Code, as adopted by the Council.

SECTION 6.(b) Code Amendment. – Until the effective date of the Code amendment that the Council is required to adopt pursuant to this section, the Council and Code enforcement officials enforcing the Code shall follow the provisions of subsection (c) of this section as it relates to Section D107 of the 2018 North Carolina Fire Code and other provisions that relate to fire apparatus access roads for one- or two-family dwelling residential developments.

SECTION 6.(c) Implementation. – Notwithstanding any provision of the Code or law to the contrary, the Council and Code enforcement officials shall not require an automatic sprinkler system in one- or two-family dwellings where there are fewer than 100 dwelling units on a single public or private fire apparatus access road with access from one direction.

SECTION 6.(d) Additional Rulemaking Authority. – The Council shall adopt a rule to amend Section D107 of the 2018 North Carolina Fire Code consistent with subsection (c) of this section.

Notwithstanding G.S. 143-136(c), the Residential Code Committee within the Council shall consider the amendment required by this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Council pursuant to this subsection shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in G.S. 150B-21.3(b2).

SECTION 6.(e) Effective Date. – This section is effective when it becomes law.

SECTION 6.(f) Sunset. – This section expires on the date that rules adopted pursuant to subsection (d) of this section become effective.

BCC CODE CHANGES

Signature: _____

Charlie Johnson

Date: 1/31/22

FORM 11/26/19