



# North Carolina Building Code Council

Staffed by the NC Department of Insurance

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## Building Code Council

### Chair:

Bridget Herring - 23  
(Public Representative)

### Vice Chairman:

Mark Matheny - 27  
(Building Inspector)

### Members:

Michael Ali, PE - 23  
(State Agency)

Robert Axford - 25  
(Electrical Contractor)

Chris Berg, PE - 27  
(Structural Engineer)

Andrew C. Cole, AIA - 28  
(Architect)

Gary Embler - 23  
(Home Builder)

Ralph Euchner - 25  
(Gas Industry)

David Gieser, RA - 28  
(Architect)

Jeff Hilton - 28  
(Coastal Contractor)

Natalie MacDonald, PE - 27  
(Mechanical Engineer)

Gloria Shealey - 27  
(General Contractor)

Deborah Shearin - 25  
(Plumbing & Heating Contractor)

Jason B. Shepherd - 27  
(Fire Services)

Victoria Watlington, PE - 28  
(Municipal Government Rep)

Kim Wooten, PE - 25  
(Electrical Engineer)

Robert Zapple - 28  
(County Gov't Rep)

November 22, 2022

Bridget Herring  
P.O. Box 7148  
Asheville, NC 28802

RE: Agenda for the December 13, 2022 NC Building Code Council Meeting

Ms. Herring:

This is officially to notify you and other interested parties of a regularly scheduled meeting of the NC Building Code Council. Persons requiring auxiliary services should notify the Council at least ten business days prior to the meeting.

1. The NC Building Code Council Meeting will begin at 9:00AM on Tuesday, December 13, 2022 (Albemarle Building). The meeting can be accessed remotely via Facebook Live (<https://www.facebook.com/NCOSFMEngineering>). Remote access does not provide capability to address the council.
2. Standing Committees will meet in the afternoon on Monday, December 12<sup>th</sup>. Schedule to be set by the Council Chair.
3. The Agenda is printed as follows:
  - A- Items - Administrative items that require Council action and temporary rules.
  - B- Items - New amendment petitions introduced at this meeting.
  - C- Items - Amendments that have been granted by the Council and advertised in the NC Register for public hearing.
  - D- Items - Adoption of amendments by the Council prior to approval by the Rules Review Commission.
  - E- Items - Reports from Committees and Staff.
  - F- Items - Notice of Appeal Hearings.

## **Part A – Administrative Items**

- Item A – 1 Ethics Statement: Inquire upon conflicts of interest or appearance of conflicts that exist within the Council.**
- Item A – 2 Approval of minutes of the September 13, 2022 NC Building Code Council Meeting.**
- Item A – 3 Request from Gaston County for approval to adopt and enforce the following appendices contained in the NC Fire Code: B, C, D, E, F, G, H, J, and L.**
- Item A – 4 Request from the Town of Smithfield for approval to amend their Code of Ordinances Chapter 7 – Fire Prevention and Protection, Article III – Fire Prevention Code and Chapter 11 – Offenses and Miscellaneous Provisions, Section 11 – 25 Recurring False Fire and Burglar Alarms.**
- Item A – 5 Request from Forsyth County to adopt their amended Fire Prevention Ordinance by adding a new Section 10-15 to regulate the use of combustible landscape materials.**
- Item A – 6 Rules Review Commission Meeting Report**
- Item A – 7 Public Comments**
- Item A – 8 The Building Code Council has filed proposed temporary rules: Section N1103.3.1 of the 2018 NC Residential Code for One- and Two- Family Dwellings, and Sections R403.3.1 and C403.2.9 of the 2018 NC Energy Conservation Code. See proposed temporary rules at the following link: <https://www.ncosfm.gov/codes/building-code-council-bcc/bcc-hearing-notices>.**

**(Public comments will be heard after discussion of item A-8. The Building Code Council will vote on this item after public comments are heard.)**

## **Part B – New Petition for Rulemaking**

The following Petitions for Rulemaking have been received since the last Council meeting. The Council will vote either to deny or grant these Petitions. The Council will give no further consideration to Petitions that are denied. Petitions that are granted may proceed through the Rulemaking process. The council may send any Petition to the appropriate committee. The hearing will take place during or after the March 14, 2023 meeting. All B items can be viewed and downloaded from: <https://www.ncosfm.gov/news/events/building-code-council-meeting-december-13-2022>.

**There will be no B items received from the floor.**

- Item B – 1 Request from the BCC NCAC&P Standing Committee to adopt the 2024 edition of the North Carolina Administrative Code and Policies as presented by the committee.**
- Item B – 2 Request from the BCC NCAC&P Standing Committee to revise Administrative Code and Policies, Section 107.**
- Item B – 3 Request from the BCC Building Code Standing Committee to adopt the 2024 edition of the North Carolina Building Code as presented by the committee.**
- Item B – 4 Request from the BCC Fire Prevention Code Standing Committee to adopt the 2024 edition of the North Carolina Fire Prevention Code as presented by the committee.**
- Item B – 5 Request from the BCC Existing Building Code Standing Committee to adopt the 2024 edition of the North Carolina Existing Buildings Code as presented by the committee.**
- Item B – 6 Request from the BCC Energy Conservation Code Standing Committee to adopt the 2024 edition of the North Carolina Energy Conservation Code as presented by the committee.**
- Item B – 7 Request by Marielena Salazar & Kyle Baker representing Shell Retail & Convenience Operations (dba Shell TapUp) to amend the 2018 NC Fire Prevention Code, Section 5706.5.4.5 as follows:**

**5706.5.4.5 Commercial, industrial, governmental or manufacturing.**

Dispensing of Class I, and II and III motor vehicle fuel from tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where approved ~~permitted~~, provided that such dispensing operations are conducted in accordance with the following:

**Part C – Notice of Rulemaking Proceedings and Public Hearing**

The following Petitions for Rulemaking have been granted by the Council. Notice of Rulemaking proceedings has been made. The Public Hearing will be held on December 13, 2022, and the Final Adoption meeting may take place on or after March 14, 2023. The written public comment period expires on January 17, 2023.

**Item C – 1 Request by Carl Martin representing NC Department of Insurance to amend the 2018 NC Plumbing Code, Table 403.1 and 202 and the 2018 NC Building Code, Table 2902.1 and 202 as follows (220913 Item B-1):**

**NC PLUMBING CODE:**

**TABLE 403.1 - MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES**

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS (URINALS: SEE SECTION 419.2)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410)	OTHER
				MALE	FEMALE	MALE	FEMALE			
1	Assembly (See Sections 403.2, 403.3 and 403.3.3.2)	A-3	Places of worship and other religious services. <u>Including churches</u> without assembly halls <sup>e</sup>	per 150	1 per 75	1 per 200		-	1 per 1,000	1 service sink

e. The number of fixtures provided shall be based on either the capacity of the church sanctuary or the church educational building (including fellowship halls and multiple purpose rooms), whichever is larger and within 300 feet (91.44 m). Remote buildings applying this footnote shall be a maximum of 300 feet (91.44 m) exterior travel distance to the nearest entrance of the building containing required plumbing fixtures and the total plumbing fixture access travel distance shall comply with Section 403.3.3. The path of travel between buildings is not required to be enclosed or covered when applying this footnote. (The remainder of Table 403.1 remains unchanged by this proposed amendment.)

**Section 202 – General Definitions**

**Travel distance, plumbing fixture access.** Travel distance shall be measured from the most remote point of each room, area or space along the natural, unobstructed and accessible path of horizontal and vertical travel to the entrance to the nearest toilet room containing plumbing fixtures required to serve the room, area or space.

**NC BUILDING CODE:**

**[P] TABLE 2902.1**

**MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES**

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS (URINALS: SEE SECTION 419.2 OF THE INTERNATIONAL PLUMBING CODE)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410 OF THE INTERNATIONAL PLUMBING CODE)	OTHER
				MALE	FEMALE	MALE	FEMALE			
1	Assembly (See Sections 403.2, 403.3 and 403.3.3.2)	A-3	Places of worship and other religious services. Including churches <del>Churches</del> without assembly halls <sup>e</sup>	1 per 150	1 per 75	1 per 200		-	1 per 1,000	1 service sink

e. The number of fixtures provided shall be based on either the capacity of the church sanctuary or the church educational building (including fellowship halls and multiple purpose rooms), whichever is larger and within 300 feet (91.44 m). Remote buildings applying this footnote shall be a maximum of 300 feet (91.44 m) exterior travel distance to the nearest entrance of the building containing required plumbing fixtures and the total plumbing fixture access travel distance shall comply with Section 2902.3.2. The path of travel between buildings is not required to be enclosed or covered when applying this footnote.

*(The remainder of Table 2902.1 remains unchanged by this proposed amendment.)*

**Section 202 – Definitions**

**Travel distance, plumbing fixture access.** Travel distance shall be measured from the most remote point of each room, area or space along the natural, unobstructed and accessible path of horizontal and vertical travel to the entrance to the nearest toilet room containing plumbing fixtures required to serve the room, area or space.

**Item C – 2 Request by Carl Martin representing NC Department of Insurance to amend the 2018 NC Building Code and Fire Code, Table 1004.1.2 as follows (220913 Item B-2):**

**TABLE 1004.1.2  
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT<sup>c</sup>**

Skating rinks, swimming pools, recreational courts	
Rink, pool, and recreational court	50 gross
Decks	15 gross <sup>d</sup>

For SI: 1 square foot = 0.0929 m<sup>2</sup>, 1 foot = 304.8 mm.

- a. Floor area in square feet per occupant.
- b. An assembly occupancy conference room that is accessory to a Group B office occupancy and meeting the requirements of Section 303.1, exception 2, shall be calculated at 100 square feet per occupant for

determining the overall occupant load of the associated floor. The assembly occupancy shall be calculated at 15 square feet per occupant for the purpose of determining egress from the room containing the assembly occupancy.

- c. For mixed uses sum all loads before rounding up to the next whole number.
- d. Occupant circulation area required by NCAC 18A.2522 around the edge of a swimming pool shall not be included in the deck gross floor area.

*(The remainder of Table 1004.1.2 remains unchanged by this proposed amendment.)*

## **Part D – Final Adoption**

The following Petitions for Rulemaking have been granted by the Council. Notice of Rulemaking proceedings and Public Hearing has been made. The Public Hearings were held on September 13, 2022. The Final Adoption meeting will take place on December 13, 2022. The Council will give no further consideration to Petitions that are disapproved. Petitions that are approved will proceed through the Rulemaking process. The effective date is January 1, 2024 unless otherwise noted.

### **Item D – 1 Request by Kim Wooten representing self to amend the 2020 National Electrical Code, Article 100 Definitions as follows (220315 Item B-6):**

#### **2020 NEC text:**

#### **Article 100 - Definitions**

#### **Coordination, Selective (Selective Coordination)**

Localization of an overcurrent condition to restrict outages to the circuit or equipment affected, accomplished by the selection and installation of overcurrent protective devices and their ratings or settings for the range of available overcurrents, ~~from overload to the available fault current~~, and for the full range of overcurrent protective device opening times ~~associated with those overcurrents.~~

#### **Replace via Amendment with:**

#### **Article 100 – Definitions**

#### **Coordination, Selective (Selective Coordination)**

Localization of an overcurrent condition to restrict outages to the circuit or equipment affected for fault current events that extend beyond 0.1 second, and accomplished by the selection and installation of overcurrent protective devices and their ratings or settings for the range of available overcurrents under such conditions, whether originating from overload, ground-fault or short circuit, and for the full range of overcurrent protective device opening times applicable to such events.

**Item D – 2 Request by Charlie Johnson representing NCDOT/OSFM to amend the 2018 NC Fire Code, Section D107.1 as follows (220614 Item B-1):**

**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.

**Item D – 3 Request by Charlie Johnson representing NCDOT/OSFM to amend the 2018 NC Fire Code, Section D107.2 as follows (220614 Item B-2):**

**D107.2 Remoteness.** Where two fire apparatus access roads are required, they shall be placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses.

**Exception:** For developments where compliance is technically infeasible because of road connectivity limitations, real property dimensions or limitations, real property acquisition constraints, or environmental constraints, as determined by the property owner or developer, the fire code official shall either not require two fire apparatus access roads or allow for alterations that provide for fire apparatus access road remoteness to the maximum extent technically feasible.

**Item D – 4 Request by Colin Triming representing the NC Fire Code Revision Committee to amend the 2018 NC Fire Code Sections 510.4.2, 510.5, 510.5.4, and Chapter 80 as follows (220614 Item B-3):**

**510.4.2 System design.** The in-building 2- way emergency responder communication coverage system shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA ~~1221~~.1225

**510.5 Installation requirements.** The installation of the in-building 2- way emergency responder communication coverage system shall be in accordance with NFPA ~~1221~~ 1225 and Sections 510.5.1 through 510.5.5.

**510.5.4 Acceptance test procedure.** Where an in-building 2- way emergency responder communication coverage system is required, and upon completion of installation, the building owner shall have the radio system tested to verify that two-way coverage on each floor of the building is not less than 95 percent. The test procedure shall be conducted as follows:

1. Each floor of the building shall be divided into a grid of 20 approximately equal test areas. Where a floor exceeds 128,000 ft<sup>2</sup> (11,900 m<sup>2</sup>), which is the floor area that can be covered by the maximum grid dimension of 80 ft. (24.4m), the floor shall be subdivided into sectors each having an area less than or equal to 128,000 ft<sup>2</sup> (11,900 m<sup>2</sup>), and each sector be tested individually with 20 grid cells in each sector. Signal strength measurements should be taken at the center of each grid and should be performed using standardized parameters as specified by NFPA ~~1221~~ 1225

*(Remainder of this section is unchanged by this proposed amendment)*

**Chapter 80 Referenced Standards**

**NFPA**

~~NFPA 1221-19 Standard for the Installation, Maintenance, and Use of Emergency Services Communications Systems.....510.4.2, 510.5, 510.5.4.~~  
NFPA 1225 – 22 Standard for Emergency Services Communications.....510.4.2, 510.5, 510.5.4.

**Item D – 5 Request from Mark Burns representing NC DOI / OSFM to amend the 2018 Plumbing Code, Table 605.3 as follows (220614 Item B-5):**

**TABLE 605.3  
 WATER SERVICE PIPE**

<b>MATERIAL</b>	<b>STANDARD</b>
Polyvinyl chloride (PVC) plastic pipe	ASTM D1785; ASTM D2241; ASTM D2672; CSA B137.3; <u>ANSI/AWWA C900</u>

*(Remainder of this table is unchanged by this proposed amendment)*



**Item D – 6 Request from Mark Burns representing NCDOI / OSFM to amend the 2018 Residential Code, Table P2906.4 as follows (220614 Item B-6):**

**TABLE P2906.4  
WATER SERVICE PIPE**

<b>MATERIAL</b>	<b>STANDARD</b>
Polyvinyl chloride (PVC) plastic pipe	ASTM D1785; ASTM D2241; ASTM D2672; CSA B137.3; <u>ANSI/AWWA C900</u>

*(Remainder of this table is unchanged by this proposed amendment)*

**Part E – Reports**

- ❖ **Ad-Hoc Committee Reports**
- ❖ **Standing Committee Reports**
- ❖ **Staff Reports**
- ❖ **Chairman’s Report**

**Part F – Appeals**

Davidson County Fire Marshal’s Office appeal is scheduled for January 25, 2024 at the Albemarle Building (325 N. Salisbury St, Raleigh NC).

Sincerely,



Carl Martin, RA. Secretary,  
NC Building Code Council