

1 **NOTICE OF RULE MAKING PROCEEDINGS AND PUBLIC HEARING**

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3 **NORTH CAROLINA BUILDING CODE COUNCIL**

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5 **Notice of Rule-making Proceedings** *is hereby given by NC Building Code Council in accordance with*
6 *G.S. 150B-21.5(d).*

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8 **Citation to Existing Rule Affected by this Rule-Making:** *North Carolina, Administrative, and*
9 *Residential, Code amendments.*

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11 **Authority for Rule-making:** *G.S. 143-136; 143-138.*

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13 **Reason for Proposed Action:** *To incorporate changes in the NC State Building Codes as a result of*
14 *rulemaking petitions filed with the NC Building Code Council and to incorporate changes proposed by the*
15 *Council.*

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17 **Public Hearing:** *Tuesday, September 13, 2022, 9:00AM, Albemarle Building, 325 North Salisbury Street,*
18 *Raleigh, NC 27603, 2nd Floor Training Room 240. Comments on both the proposed rule and any fiscal*
19 *impact will be accepted.*

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21 **Comment Procedures:** *Written comments may be sent to Carl Martin, Secretary, NC Building Code*
22 *Council, NC Department of Insurance, 1202 Mail Service Center, Raleigh, NC 27699-1202 (email*
23 *carl.martin@ncdoi.gov). Comments on both the proposed rule and any fiscal impact will be accepted.*
24 *Comment period expires on October 14, 2022.*

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26 **Link to Agency Notice:**

27 <https://www.ncosfm.gov/codes/building-code-council-bcc/bcc-hearing-notices>

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29 **Statement of Subject Matter:**

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31 **1. Request by Charlie Johnson representing NCDOI/OSFM to amend the 2018 NC Fire Code,**
32 **Section D107.1 as follows:**

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

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

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1 **Exceptions:**

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

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7 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is
8 December 1, 2022, (earliest through RRC) unless the BCC assigns a delayed effective date (January 1,
9 2023).

10 **Reason Given** – To update the 2018 NC Fire Code to reflect changes from Session Law 2021-121 (H489)
11 An Act to Provide Various Building Code and Development Regulatory Reforms.

12 **Fiscal Statement** – This rule is anticipated to provide a net decrease in cost. This rule is not expected to
13 either have a substantial economic impact or increase local and state funds. A fiscal note has not been
14 prepared.

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16 **2. Request by Charlie Johnson representing NCDOT/OSFM to amend the 2018 NC Fire Code,**
17 **Section D107.2 as follows:**

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

22
23 **Exception:** For developments where compliance is technically infeasible because of road connectivity
24 limitations, real property dimensions or limitations, real property acquisition constraints, or environmental
25 constraints, as determined by the property owner or developer, the *fire code official* shall either not require
26 two fire apparatus access roads or allow for alterations that provide for fire apparatus access road
27 remoteness to the maximum extent technically feasible.

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29 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is
30 December 1, 2022, (earliest through RRC) unless the BCC assigns a delayed effective date (January 1,
31 2023).

32 **Reason Given** – To update the 2018 NC Fire Code to reflect changes from Session Law 2021-183 (S308)
33 An Act To Prevent Delay In The Issuance Of Temporary Certificates Of Occupancy, To Clarify Electric
34 Wiring Requirement References, And To Modify One- Or Two-Family Dwelling Residential Development
35 Fire Apparatus Access Road Requirements.

1 **Fiscal Statement** – This rule is anticipated to provide a net decrease in cost. This rule is not expected to
2 either have a substantial economic impact or increase local and state funds. A fiscal note has not been
3 prepared.

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5 **3. Request by Colin Triming representing the NC Fire Code Revision Committee to amend the 2018**
6 **NC Fire Code Sections 510.4.2, 510.5, 510.5.4, and Chapter 80 as follows:**

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8 **510.4.2 System design.** The in-building 2- way emergency responder communication coverage system
9 shall be designed in accordance with Sections 510.4.2.1 through 510.4.2.8 and NFPA ~~1221~~1225.

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11 **510.5 Installation requirements.** The installation of the in-building 2- way emergency responder
12 communication coverage system shall be in accordance with NFPA ~~1221~~ 1225 and Sections 510.5.1
13 through 510.5.5.

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15 **510.5.4 Acceptance test procedure.** Where an in-building 2- way emergency responder communication
16 coverage system is required, and upon completion of installation, the building owner shall have the radio
17 system tested to verify that two-way coverage on each floor of the building is not less than 95 percent. The
18 test procedure shall be conducted as follows:

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20 1. Each floor of the building shall be divided into a grid of 20 approximately equal test areas. Where a floor
21 exceeds 128,000 ft² (11,900 m²), which is the floor area that can be covered by the maximum grid
22 dimension of 80 ft. (24.4m), the floor shall be subdivided into sectors each having an area less than or equal
23 to 128,000 ft² (11,900 m²), and each sector be tested individually with 20 grid cells in each sector. Signal
24 strength measurements should be taken at the center of each grid and should be performed using
25 standardized parameters as specified by NFPA ~~1221~~ 1225.

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27 **Chapter 80 Referenced Standards**

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

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32 NFPA 1225 – 22 Standard for Emergency Services Communications.....510.4.2, 510.5, 510.5.4.

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34 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is
35 December 1, 2022, (earliest through RRC) unless the BCC assigns a delayed effective date (January 1,
36 2023).

1 **Reason Given** – Changing the NFPA referenced standard from NFPA 1221 to NFPA 1225 makes it clearer
2 for installers of Emergency Responder Communications systems as to what is required.

3 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with no net decrease/increase
4 in cost. This rule is not expected to either have a substantial economic impact or increase local and state
5 funds. A fiscal note has not been prepared.

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8 **4. Request from Mark Burns representing NC DOI / OSFM to amend the 2018 Plumbing Code,**
9 **Table 605.3 as follows:**

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11 **TABLE 605.3**
12 **WATER SERVICE PIPE**

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

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16 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is
17 December 1, 2022, (earliest through RRC) unless the BCC assigns a delayed effective date (January 1,
18 2023).

19 **Reason Given** – C900 pipe was added to the Table above by the Legislature in House Bill 489, Session
20 Law 2021-121, General Statute 87-10, Sections 7. (c) and 7. (d). It was approved on August 30, 2021.

21 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with no net decrease/increase
22 in cost. This rule is not expected to either have a substantial economic impact or increase local and state
23 funds. A fiscal note has not been prepared.

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26 **5. Request from Mark Burns representing NCDOI / OSFM to amend the 2018 Residential Code,**
27 **Table P2906.4 as follows:**

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29 **TABLE P2906.4**
30 **WATER SERVICE PIPE**

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MATERIAL	STANDARD
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Polyvinyl chloride (PVC) plastic pipe	ASTM D1785; ASTM D2241; ASTM D2672; CSA B137.3; <u>ANSI/AWWA C900</u>
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Motion/Second/Approved – The request was granted. The BCC proposed effective date of this rule is January 1, 2025, as per G.S 143-138 (d).

Reason Given – C900 pipe was added to the Table above by the Legislature in House Bill 489, Session Law 2021-121, General Statute 87-10, Sections 7. (c) and 7. (d). It was approved on August 30, 2021.

Fiscal Statement – This rule is anticipated to provide equivalent compliance with no net decrease/increase in cost. This rule is not expected to either have a substantial economic impact or increase local and state funds. A fiscal note has not been prepared.

NOTICE:

Appeals and Interpretations of the North Carolina State Building Codes are published online at the following link.

<https://www.ncosfm.gov/codes/codes-current-and-past>

NOTICE:

Objections and Legislative Review requests may be made to the NC Office of Administrative Hearings in accordance with G.S. 150B-21.3(b2) after Rules are adopted by the Building Code Council.

<http://www.ncoah.com/rules/>