

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

2
3 **NORTH CAROLINA BUILDING CODE COUNCIL**

4
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, December 13, 2022, 9:00AM, Albemarle Building, 325 North Salisbury Street,*
18 *Raleigh, NC 27603, 2nd Floor Training Room 245. Comments on both the proposed rule and any fiscal*
19 *impact will be accepted.*

20
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 January 17, 2023.*

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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 Carl Martin representing NC Department of Insurance to amend the 2018 NC**
32 **Plumbing Code, Table 403.1 and 202 and the 2018 NC Building Code, Table 2902.1 and 202 as**
33 **follows:**

34
35 **2018 NC Plumbing Code - Table 403.1**

36 **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> Churches without assembly halls ^c	1 per 150	1 per 75	1 per 200		-	1 per 1,000	1 service sink

1 e. The number of fixtures provided shall be based on either the capacity of the church sanctuary or the
2 church educational building (including fellowship halls and multiple purpose rooms), whichever is larger
3 ~~and within 300 feet (91.44 m)~~. Remote buildings applying this footnote shall be a maximum of 300 feet
4 (91.44 m) exterior travel distance to the nearest entrance of the building containing required plumbing
5 fixtures and the total plumbing fixture access travel distance shall comply with Section 403.3.3. The path
6 of travel between buildings is not required to be enclosed or covered when applying this footnote.

7

8 *(The remainder of Table 403.1 remains unchanged by this proposed amendment.)*

9

10 **2018 NC Plumbing Code – Chapter 2 Definitions**

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

15

16 **2018 NC Building Code – Table 2902.1**

17 **[P] TABLE 2902.1**

18 **MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES**

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS (URINALS: SEE SECTION 419.2 OF THE <i>INTERNATIONAL PLUMBING CODE</i>)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410 OF THE <i>INTERNATI ONAL PLUMBING CODE</i>)	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> Churches without assembly halls ^c	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.)

2018 NC Building Code – Chapter 2 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.

Motion/Second/Approved – The request was granted. The proposed effective date of this rule is June 1, 2023, (earliest through RRC) unless the BCC assigns a delayed effective date (January 1, 2024).

Reason Given – This amendment is proposed to clarify the allowed travel distance found in footnote e of NCP, Tables 403.1 and NCBC, Table 2902.1.

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.

2. Request by Carl Martin representing NC Department of Insurance to amend the 2018 NC Building Code, Table 1004.1.2 as follows:

TABLE 1004.1.2

MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT^c

Skating rinks, swimming pools, recreational courts	
Rink, pool, and recreational court	50 gross
Decks	15 gross ^d

For SI: 1 square foot = 0.0929 m², 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

1 at 15 square feet per occupant for the purpose of determining egress from the room containing the assembly
2 occupancy.

3 c. For mixed uses sum all loads before rounding up to the next whole number.

4 d. Occupant circulation area required by NCAC 18A.2522 around the edge of a swimming pool shall not be
5 included in the deck gross floor area.

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

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9 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is
10 June 1, 2023, (earliest through RRC) unless the BCC assigns a delayed effective date (January 1, 2024).

11 **Reason Given** – The swimming pool deck area identified in the new footnote is required for occupant
12 circulation around a swimming pool and will be the same occupants that are already accounted for in the
13 swimming pool or on the remainder of the pool deck. This will reflect a more accurate quantity of required
14 exits and plumbing fixtures.

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

18
19 **NOTICE:**

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

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

23
24 **NOTICE:**

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

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

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