

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 Code and*
9 *Policies, Building Code, Electrical Code, Energy Conservation Code, Existing Building Code, Fire Code,*
10 *Fuel Gas Code, Mechanical Code, Plumbing Code and Residential Code amendments.*

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

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

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18 **Public Hearing:** *Tuesday, June 11, 2024, 9:00AM, Albemarle Building, 325 North Salisbury Street,*
19 *Raleigh, NC 27603, 2nd Floor Training Room 245. Comments on both the proposed rules and any fiscal*
20 *impacts will be accepted.*

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22 **Comment Procedures:** *Written comments may be sent to David B. Rittlinger, (Interim) Secretary, NC*
23 *Building Code Council, NC Department of Insurance: Office of the State Fire Marshal, 1429 Rock Quarry*
24 *Road, Raleigh, NC 27610 (email david.rittlinger@ncdoi.gov). Comments on both the proposed rule and*
25 *any fiscal impact will be accepted. Comment period expires on July 15, 2024.*

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27 **Link to Agency Notice:**
28 <https://www.ncosfm.gov/codes/building-code-council-bcc/bcc-hearing-notices>

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30 **Statement of Subject Matter:**

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32 **1. Request from Phillip Scott of BFPE International to amend the 2024 NC Fire Code, Section 510.1**
33 **Emergency responder communication coverage in new buildings, Exception #4 as follows:**

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35 **Exceptions:**

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1 ~~4. New buildings 7,500 square feet or less and not more than 1 story above grade plane. One-story~~
2 ~~buildings not exceeding 12,000 square feet with no below-ground area(s).~~

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4 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is January
5 1, 2025, unless the BCC assigns a delayed effective date.

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7 **Reason Given** – This amendment is proposed to protect the NC VIPER ERRCS from increased noise and
8 interference from BDA systems installed in buildings that the IFC 2024 has deemed undersized. This
9 amendment will also provide relief to small business owners that are required to have these systems
10 installed.

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12 **Fiscal Statement** – A substantial impact is anticipated. No increase of more than \$80 per dwelling is
13 anticipated. No impact to federal, state and local government funds is anticipated. A fiscal note is required
14 by the petitioner but has not been completed as of this notice of hearing.

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16 **2. Request from Adam Smith representing Carolina’s Association of RV Parks and Campgrounds to**
17 **amend the 2023 NC Electrical Code, Section 210.8 Ground-Fault Circuit-Interrupter Protection for**
18 **Personnel, (F) Outdoor Outlets as follows:**

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20 **(F) Outdoor Outlets.** For dwellings, all outdoor outlets, other than those covered in 210.8(A), Exception
21 No. 1, including outlets installed in the following locations, and supplied by single-phase branch circuits
22 rated 150 volts or less to ground, 50 amperes or less, shall be provided with GFCI protection:

- 23 • (1)Garages that have floors located at or below grade level
24 • (2)Accessory buildings
25 • (3)Boathouses

26 If equipment supplied by an outlet covered under the requirements of this section is replaced, the outlet
27 shall be supplied with GFCI protection.

28 **Exception No. 1:** GFCI protection shall not be required on lighting outlets other than those covered in
29 210.8(C).

30 **Exception No. 2:** GFCI protection shall not be required for listed HVAC equipment. This exception shall
31 expire September 1, 2026.

32 **Exception No. 3: GFCI protection for an RV park pedestal is covered in 551.71(F).**

33
34 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is January
35 1, 2025, unless the BCC assigns a delayed effective date.

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1 **Reason Given** – For interpretation clarification, NFPA 70 551.71 defines the safe standard for electrical
2 supply on a RV park Pedestal.

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4 **Fiscal Statement** – No substantial impact is anticipated. No increase of more than \$80 per dwelling is
5 anticipated. No impact to federal, state and local government funds is anticipated. A fiscal note is not
6 required.

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8 **3. Request from David Rittlinger representing staff to amend the 2024 edition of the North Carolina**
9 **Administrative Code and Policies, Table 202.5 and Appendix C as follows:**

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Table 202.5.5
Typical Timeline Example for Adopted Rules

Rule Petition Received:	February 1
Standing Committee First Review:	February – March June
Rule Petition Granted for Public Hearing: Hearing (B-items):	March BCC meeting
Notice of Hearing Published:	April NC Register
Hearing Held: Held (C-items):	June BCC public hearing
Standing Committee Final Review:	June – September BCC Standing Committee meeting
Final Rule Adoption: Adoption (D-items):	September June BCC meeting
Rules Review Meeting:	November July or August RRC meeting
Effective:	First day of the month following the month the adopted rule is approved by RRC or a delayed effective date approved by the BCC.

11 **Appendix C is edited as follows:**

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Standing Committee First Review	February - March June
Rule Petition Granted for Public Hearing: Hearing (B-items):	March BCC meeting
Notice of Hearing Published:	April NC Register
Hearing Held: Held (C-items):	June BCC public hearing
Standing Committee Final Review	June - September BCC Standing Committee meeting
Final Rule Adoption: Adoption (D-items):	September June BCC meeting
Rules Review Meeting:	November July or August RRC meeting
Effective:	First day of the month following the month the adopted rule is approved by RRC or a delayed effective date approved by the BCC.

12
13 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is January
14 1, 2025, unless the BCC assigns a delayed effective date.

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Reason Given – NC OSFM Code and Interpretations staff has repeatedly heard from stakeholders in the built environment that the code adoption process takes too much time as it seems that petitions sit for long periods of time between NCBCC meetings without any action on them. This petition aims to make the code adoption process more efficient to meet the demands of all stakeholders by speeding up the code adoption time by 90 days without adding additional NCBCC quarterly meetings.

Fiscal Statement – No substantial impact is anticipated. No increase of more than \$80 per dwelling is anticipated. No impact to federal, state and local government funds is anticipated. A fiscal note is not required.

NOTICE:
Appeals and Interpretations of the North Carolina State Building Codes are published online at the following link.
<https://www.ncosfm.gov/interpretations>

NOTICE:
Amendments 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/>