



# APPENDIX C CODE CHANGE PROPOSAL NORTH CAROLINA BUILDING CODE COUNCIL

325 North Salisbury Street, Room 5\_44  
Raleigh, North Carolina 27603  
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Petition for Rule Making

Item Number \_\_\_\_\_

Granted by BCC \_\_\_\_\_  
Denied by BCC \_\_\_\_\_

Adopted by BCC \_\_\_\_\_  
Disapproved by BCC \_\_\_\_\_

Approved by RRC \_\_\_\_\_  
Objection by RRC \_\_\_\_\_

PROPONENT: Jason B. Shepherd PHONE: (919)201-6638  
REPRESENTING: Durham County Fire Marshal  
ADDRESS: 120 E. Parrish Street, Suite 100  
CITY: Durham STATE: NC ZIP: 27701  
E-MAIL: jshepherd@dconc.gov FAX: (\_\_\_\_\_) \_\_\_\_\_ - \_\_\_\_\_

North Carolina State Building Code, Fire Code 2024 - Section 105.5.32

CHECK ONE: [ X ] 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

**105.5.32 Mobile food preparation vehicles.** (optional permit). An operational permit is required for mobile food preparation vehicles equipped with appliances that produce smoke or grease-laden vapors. Permits shall originate from the commissary address where the mobile food preparation vehicle is associated.

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

- 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:** Providing clarity to the operational permitting for mobile food preparations vehicles. I am proposing this to prevent confusion on permitting of vehicles since they travel across multiple jurisdictions for work.

Signature: 

Date: 28 April 2028 FORM 11/26/19

## INSTRUCTIONS

**Each proposed Code change request shall comply with the following policies:**

**Rule 1:** The Original and twenty-two (22) copies of the proposed Petition for Rule-Making along with supporting documentation shall be filed with the Building Code Council Secretary. Submit one (1) electronic copy via email.

**Rule 2:** The filing shall be received by the first day of the month prior to the quarterly scheduled meeting date. Example: A December meeting date will require filing by November 1 prior to the meeting.

**Rule 3:** Each request shall be typewritten on this form and shall contain the following:

- (1) The proposed rule change must be set forth in full and contain explicit reference to the affected section or sections of the Code.
- (2) The request shall state the reasons for the proposed rule change with supporting documentation.
- (3) The proposed rule change shall comply with the standards set forth in GS 143-138(c) and reference to the particular standards shall be set forth in the request for the amendment.
- (4) The proposed rule change shall contain an economic impact analysis as required by GS 143-138(a).
- (5) A proposed rule change to the NC Energy Conservation Code shall have an accompanying cost-benefit analysis as required by GS 143-138(a1)(2).

**Rule 4:** When a request is improperly filed or not in accordance with all the rules listed above, the BCC Secretary shall reject the submittal and notify the applicant of the proper procedure to follow.

**Rule 5:** Upon the proper filing of a request, the BCC Secretary shall forward one copy of said request to each council member prior to the scheduled meeting date. Persons filing proposed petitions are hereby notified of the place and time of the scheduled hearings. The BCC Secretary shall cause to be published the notice of public hearing as specified in GS 143-138(a).

**Rule 6:** The Council shall either Grant or Deny the proposed Petition for Rulemaking at the meeting following receipt of the proposed rule change. The Council will take no further action on items that are Denied. Granted items may be referred to Committee for review.

**Rule 7:** The Council will hold a public hearing on Granted items at the next quarterly scheduled meeting. The Council will take final action on Granted items at the next quarterly scheduled meeting after the public hearing.

### Timeline Example

<b>Petition received:</b>	<b>February 1</b>
<b>Petition Granted:</b>	<b>March BCC meeting</b>
<b>Notice of Hearing published:</b>	<b>April NC Register</b>
<b>Committee review:</b>	<b>May - June</b>
<b>Hearing held:</b>	<b>June BCC meeting</b>
<b>Final Adoption:</b>	<b>September BCC meeting</b>
<b>Rules Review Meeting:</b>	<b>November RRC meeting</b>
<b>Approved:</b>	<b>December 1</b>