



APPENDIX C CODE CHANGE PROPOSAL NORTH CAROLINA BUILDING CODE COUNCIL

325North Salisbury Street, Room 5_44
Raleigh, North Carolina 27603
(919) 647-0009
carl.martin@ncdoi.gov

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 319.11.1 & 319.11.1.3

CHECK ONE: [X] Revise section to read as follows:
[X]
Delete section without substitution:

[] Delete section and substitute the following:
Add new section to read as follows: []

~~LINE THROUGH MATERIAL TO BE DELETED~~

UNDERLINE MATERIAL TO BE ADDED

319.11.1 Stability. Mobile food preparation vehicles shall be stabilized against movement when parked for food prep operations in accordance with Section 319.11.1.1 through 319.11.1.3.

319.11.1.3 Mobile cooking operations. Mobile food preparation vehicles shall be separated from buildings, structures, canopies, tents, combustible materials, vehicles, and other cooking operations by a minimum of 10 feet (3048mm). Exhaust shall be directed away from openings, air intakes and away from any means of egress.

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 additional safety measures for operating mobile food preparations vehicles.

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

Petition received:	February 1
Petition Granted:	March BCC meeting
Notice of Hearing published:	April NC Register
Committee review:	May - June
Hearing held:	June BCC meeting
Final Adoption:	September BCC meeting

**Rules Review Meeting:
Approved:**

**November RRC meeting
December 1**