



APPENDIX C
CODE CHANGE PROPOSAL
NORTH CAROLINA
BUILDING CODE COUNCIL

B-3

1429 Rock Quarry Road, Suite 105

Raleigh, North Carolina 27610

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david.rittlinger@ncdoi.gov

Petition for Rule Making Item Number _____

Granted by BCC _____ Adopted by BCC _____ Approved by RRC _____

Denied by BCC _____ Disapproved by BCC _____ Objection by RRC _____

PROPONENT: Tammy Pratt, Alissa Rhodes

PHONE: (828)768-0045

REPRESENTING: Family Child Care Homes of North Carolina

ADDRESS: 10 Wilson Lane

CITY: Fletcher STATE: NC _____ ZIP: 28732

E-MAIL: tammyannpratt@gmail.com FAX: (____) _____ - _____

North Carolina State Building Code, Volume 2024 NC Building Code- Section _____

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

Please type. Continue proposal or reason on plain paper attached to this form. See reverse side for instructions.

2024 NC Building Code

310.4 Residential Group R-3. Residential Group R-3 occupancies where the occupants are primarily permanent in nature and not classified as Group R-1, R-2, R-4 or I, including:

Buildings that do not contain more than two dwelling units

Adult Day Care facilities that provide accommodations for five or fewer persons receiving care

Child Day Care facilities that provide accommodations for eight or fewer persons with no more than five for a preschool for less than 24 hours or 10 or fewer persons with no children under the age of 24 months or 9 or fewer persons with a maximum of 3 children from birth to 24 months of age, plus 3 children from 2 to 5 years of age and 3 school-age children up to 13 years of age.

Congregate living facilities (nontransient) with 16 or fewer occupants

Boarding houses (nontransient)

Convents

Dormitories

Fraternities and sororities

Monasteries

Congregate living facilities (transient) with 10 or fewer occupants

Boarding houses (transient)

Lodging houses (Bed and Breakfast) with eight or fewer guest rooms

Open air camp cabin with 16 or fewer occupants

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 (\geq \$1,000,000)? Yes [X] No []

- 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: This amendment is proposed to change the 2024 NC Building Code 310.4 to fall in line with the law change NC General Statute 110-91 7(b) regarding Family Child Care Home ratios .

In order to increase our numbers, most Family Child Care Homes are unable to become Centers in Residences, which fall under the R-4 guidelines, because the structural changes that would be required to our homes are many times not possible as well as cost prohibitive. After expressing this to the Legislative Branch they passed a law to enable FCCHs to take up to 10 children depending on age instead of the maximum of 8 that was previously allowed. Implementing this code change would make the R-3 building code fall in line with the new law and the intent of the Legislature to help alleviate the child care crisis that North Carolina is experiencing.

Family Child Care Homes offer a high quality, safe learning environment as an option for children birth through 5 as well as after-school care. We follow all of the safety guidelines that centers do. We conduct fire drills, safety inspections, Emergency preparedness planning and shelter in place drills. Adding an additional 2 children to our numbers will not pose a safety risk. We are, however, worried because many desperate families are turning to unlicensed homes to find care for their children where there are zero regulations and sometimes as many as 20 children in care. A 2021-2022 North Carolina Infant-Toddler Child Care Landscape Study shows only 27% of Infants and Toddlers with working parents have space available for them in licensed facilities. Making this code change will result in immediate quality openings in Licensed Family Child Care Homes.

BCC CODE CHANGES

Signature: Jimmy Pratt Disa N. Bonds Date: 2/19/2024 FORM 11/26/19