

NCBCC adopted as modified at the NCBCC Meeting on 9/12/23

**Item D – 4 Request from Carl Martin representing NCDOI to amend the 2024 NC Fire Code, Section 102.13 as follows** (230314 Item B-9 as modified by the NCBCC on 3/14/2023. See Meeting Minutes):

**102.13 Exception to applicability.** The provisions of this code shall not apply to the following:

1. Occupancy of one- and two-family dwellings.
2. Farm buildings not used for:
  - a. Sleeping purposes; or
  - b. Storage of hazardous materials in excess of those listed in Tables 5003.1.1(1) and 5003.1.1(2) within the building rules jurisdiction of any municipality.
3. The design, construction, location, installation, or operation of equipment for storing, handling, and transporting liquefied petroleum gases for fuel purposes up to the first stage regulator, liquefied natural gases, and anhydrous ammonia or other liquid fertilizers.
4. The design, construction, location, installation or operation of equipment or facilities of a public utility, as defined in N.C.G.S. 62-3, or an electric or telephone membership corporation, including without limitation poles, towers and other structures supporting electric or communication lines from the distribution network up to the meter location.

**Exception:** All buildings owned and operated by a public utility or an electric or telephone membership corporation shall meet the provisions of the code.

5. The storage and handling of substances governed by the Hazardous Chemicals Right to Know Act in N.C.G.S. Chapter 95, Article 18.
6. Open burning pursuant to N.C.G.S. 106-940 through 106-950 under the jurisdiction of the North Carolina Department of Agriculture and Consumer Services.
7. Farm structures exempt by N.C.G.S 143-138(b4).

The Joint Building and Fire Standing Committee recommends approval of this item.

**Commercial Super Committee: Motion to approve made by D. Gieser. Second made by M. Matheny.**

**Motion unanimously passed.**

**Building Code Council: Motion to approve made by M. Matheny. Second made by D. Gieser.**

**Motion unanimously passed.**

No public comments were received at the NCBCCC Public Hearing on 6/13/23

**Item C – 4 Request from Carl Martin representing NCDOI to amend the 2024 NC Fire Code, Section 102.13 as follows** (230314 Item B-9):

**102.13 Exception to applicability.** The provisions of this code shall not apply to the following:

1. Occupancy of one- and two-family dwellings.
2. Farm buildings not used for:
  - a. Sleeping purposes; or
  - b. Storage of hazardous materials in excess of those listed in Tables 5003.1.1(1) and 5003.1.1(2) within the building rules jurisdiction of any municipality.
3. The design, construction, location, installation, or operation of equipment for storing, handling, and transporting liquefied petroleum gases for fuel purposes up to the first stage regulator, liquefied natural gases, and anhydrous ammonia or other liquid fertilizers.
4. The design, construction, location, installation or operation of equipment or facilities of a public utility, as defined in N.C.G.S. 62-3, or an electric or telephone membership corporation, including without limitation poles, towers and other structures supporting electric or communication lines from the distribution network up to the meter location.

**Exception:** All buildings owned and operated by a public utility or an electric or telephone membership corporation shall meet the provisions of the code.
5. The storage and handling of substances governed by the Hazardous Chemicals Right to Know Act in N.C.G.S. Chapter 95, Article 18.
6. Open burning pursuant to N.C.G.S. 106-940 through 106-950 under the jurisdiction of the North Carolina Department of Agriculture and Consumer Services.
7. Farm structures exempt by N.C.G.S 143-138(b4).

NCBCC voted in favor of the proposal at the NCBCC Meeting on 3/14/23. As part of the approval, the exception was moved from 101.2 Scope to 102.13 Exception to applicability of the 2024 NC Fire Code per the recommendation of staff and the BCC Fire Prevention Code Standing Committee.

**Item B – 9 Request from Carl Martin representing NCDOI to amend the 2024 NC Fire Code, Section 101.2 as follows:**

**[A] 101.2 Scope.** This code establishes regulations affecting or relating to structures, processes, premises and safeguards regarding all of the following:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices.
2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises.
3. Fire hazards in the structure or on the premises from occupancy or operation.
4. Matters related to the construction, extension, repair, *alteration* or removal of fire protection systems.
5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

**Exception:** Farm structures exempt by N.C.G.S 143-138(b4).

Carl Martin, DOI staff, summarized this item to the Council.

Charlie Johnson, DOI staff, addressed the fire portions of this item.

Jason Shepherd, Chair of the Fire Standing Committee, stated this item has the support of the committee to be brought before the Council for a vote.

**Residential Super Committee: Motion to accept this item made by J. Hilton.**

**Second made by D. Shearin.**

**Motion passed.**

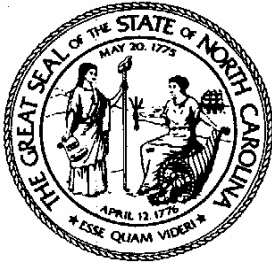
**Commercial Super Committee: Motion to accept this item made by M. Matheny.**

**Second made by G. Shealey.**

**Motion passed.**

**Building Code Council: Motion to accept this item made by M. Matheny. Second made by J. Hilton.**

**Motion passed.**



**APPENDIX C**  
**CODE CHANGE PROPOSAL**  
**NORTH CAROLINA**  
**BUILDING CODE COUNCIL**

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

**B-9**

B-6: Resubmitted on 12/12/23 to ensure compliance with NCGS 150B Administrative Procedures Act.

Granted by BCC \_\_\_\_\_ Adopted by BCC \_\_\_\_\_ Item Number \_\_\_\_\_  
 Denied by BCC \_\_\_\_\_ Disapproved by BCC \_\_\_\_\_ Approved by RRC \_\_\_\_\_  
 Objection by RRC \_\_\_\_\_

PROPONENT: Carl Martin PHONE: (919)888-0284  
 REPRESENTING: NCDOI  
 ADDRESS: Mail Service Center 1202  
 CITY: Raleigh STATE: NC ZIP: 27699-1202  
 E-MAIL: carl.martin@ncdoi.gov FAX: ( ) -

North Carolina State Building Code, Volume 2024 Fire - Section 101.2

**CHECK ONE:**  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.

**[A] 101.2 Scope.** This code establishes regulations affecting or relating to structures, processes, premises and safeguards regarding all of the following:

1. The hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices.
2. Conditions hazardous to life, property or public welfare in the occupancy of structures or premises.
3. Fire hazards in the structure or on the premises from occupancy or operation.
4. Matters related to the construction, extension, repair, *alteration* or removal of fire protection systems.
5. Conditions affecting the safety of fire fighters and emergency responders during emergency operations.

**Exception:** Farm structures exempt by N.C.G.S 143-138(b4).

Will this proposal change the cost of construction? Decrease  Increase  No   
 Will this proposal increase to the cost of a dwelling by \$80 or more? Yes  No   
 Will this proposal affect the Local or State funds? Local  State  No   
 Will this proposal cause a substantial economic impact (≥\$1,000,000)? Yes  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.
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**REASON:** The purpose of this amendment is to generically identify and include exemptions stated in NC General Statute 143-138, paragraph b4. By referencing the statute, the code includes all changes to the statute during the cycle of the code.

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Signature: CARL MARTIN

Date: January 13, 2023

BCC CODE CHANGES

FORM 11/26/19