



# APPENDIX C CODE CHANGE PROPOSAL NORTH CAROLINA BUILDING CODE COUNCIL

**B-8**

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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: AIA North Carolina  
REPRESENTING: AIA North Carolina  
ADDRESS: 14 E. Peace St.  
CITY: Raleigh  
E-MAIL: dcrawford@aianc.org

PHONE: (919) 810-0322  
STATE: NC  
ZIP: 27604  
FAX: (\_\_\_\_\_) \_\_\_\_\_

North Carolina State Building Code, Volume:2024 NC Energy Conservation Code - Section C505.1

**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.

**C505.1 General.** Spaces undergoing a change in occupancy that would result in an increase in demand for either fossil fuel or electrical energy shall comply with this code. Where the use in a space changes from one use in Table C405.3.2 (1) or C405.3.2(2) to another use in Table C405.3.2 (1) or C405.3.2(2), the install lighting wattage shall comply with Section C405.3. With the space undergoing a change in occupancy or use is in a building with a fenestration area that exceeds the limitations of Section C402.4.1, the space is exempt from Section C402.4.1 provided that there is not an increase in fenestration area.

**Exceptions:**

1. Where the component performance alternative in Section C402.1.5 is used to comply with this section, the proposed UA shall not be greater than ~~40~~20 percent of the target UA.
2. Where the total building performance option in Section C407 is used to comply with this section, the annual energy cost of the proposed design shall not be greater than ~~40~~20 percent of the annual energy cost otherwise permitted by Section C407.2.

Will this proposal change the cost of construction?    Decrease  [X]    Increase  [ ]    No  [ ]  
 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.

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**REASON:**

**To allow existing building owners to repurpose their properties appropriately for their project. Repurposing and change of use for existing buildings can encounter significant budget creep when determining new code requirements. We want to make sure that viable renovation projects can move forward with significant energy upgrades while at the same time surviving their financial proforma obligations.**

**Our intent is to make sure that when it comes to repurposing existing buildings, we don't lose good projects for our communities because the only regulatory goal is energy performance perfection. Rather, we feel we can create an environment for existing buildings with a holistic goal for what the project can contribute to its community while also ensuring increased energy efficiency.**

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BCC CODE CHANGES

Signature: David Crawford

Date: 10/31/23 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>            |

DRAFT