



North Carolina Building Code Council

Staffed by the NC Department of Insurance

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325 N. Salisbury Street
Raleigh, NC 27603

Building Code Council

Chair:

Bridget Herring - 23
(Public Representative)

Vice Chairman:

Mark Matheny - 27
(Building Inspector)

Members:

Michael Ali, PE - 23
(State Agency)

Robert Axford - 25
(Electrical Contractor)

Chris Berg, PE - 27
(Structural Engineer)

Andrew C. Cole, AIA - 28
(Architect)

Gary Embler - 23
(Home Builder)

Ralph Euchner - 25
(Gas Industry)

David Gieser, RA - 28
(Architect)

Jeff Hilton - 28
(Coastal Contractor)

Natalie MacDonald, PE - 27
(Mechanical Engineer)

Gloria Shealey - 27
(General Contractor)

Deborah Shearin - 25
(Plumbing & Heating Contractor)

Jason B. Shepherd - 27
(Fire Services)

Victoria Watlington, PE - 28
(Municipal Government Rep)

Kim Wooten, PE - 25
(Electrical Engineer)

Robert Zapple - 28
(County Gov't Rep)

Pending BCC Approval

Minutes of the North Carolina Building Code Council March 14, 2023 Raleigh, NC

The following are summary minutes. The official minutes of this meeting are recorded. Anyone desiring digital copies of this recording should contact the Engineering Division of the NC Department of Insurance for information and reproduction costs or access the following OSFM website:

<https://www.ncosfm.gov/codes/building-code-council-bcc/bcc-meeting-recordings>. The next scheduled NC Building Code Council meeting will be held **Tuesday, June 14, 2023** at 325 Salisbury Street, Raleigh, NC.

Facebook Live was provided for the purpose of allowing the public to view and hear the meeting in process.

Meeting called to order.

A roll call of Council members was completed. All members of the North Carolina Building Code Council were present for the Council meeting except Michael Ali. The following members attended virtually: Ralph Euchner, Natalie MacDonald, Victoria Watlington, and Robert Zapple. Gloria Shealey was in attendance virtually until arriving in-person during item A-6 for the remainder of the meeting.

Consistent with Rules 4:56 and 44:12 of Robert's Rules of Order (12th ed.), the presiding officer, Chair Bridget Herring, elected to protect her impartial position by exercising her right to vote only when her vote would affect the outcome by causing or breaking a tie.

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Part A – Administrative Items

Item A – 1 Ethics Statement: Inquire upon conflicts of interest or appearance of conflicts of interest that exist within the Council.

There were no actual or potential conflicts of interest noted.

Item A – 2 Approval of minutes of the December 13, 2022 NC Building Code Council Meeting.

Chair Herring noted the Residential and Super Committees motions and votes from item A-8 of the December 13, 2022 meeting were not included in the meeting minutes. She made a request to amend the final minutes to include that information.

D. Gieser made a motion to approve the minutes with the amended request included. Second made by R. Zapple. Motion approved.

Item A – 3 Request from Catawba County for approval to amend Section 8-1 Building Code Adopted of the Catawba County Code of Ordinances to adopt Appendices B (Fire-Flow Requirements for Buildings) and C (Fire Hydrant Locations and Distribution) of the 2018 NC Fire Code.

Charlie Johnson, NCDOI staff, addressed the Council regarding this item giving his recommendation to approve the request for a Council vote.

Jason Shepherd, Chair of the Fire Standing Committee, addressed the Council stating this item comes with the approval of the Fire Standing Committee for a Council vote.

J. Shepherd made a motion to approve this item. Second made by C. Berg. Motion approved.

Item A – 4 Request from Orange County for approval to amend the Orange County Code of Ordinances, Section 14-1 Fire prevention, to adopt all optional operational permits as identified in the 2018 NC Fire Code, Section 105.

Charlie Johnson, NCDOI staff, addressed the Council regarding this item giving his recommendation to approve the request for a Council vote.

Jason Shepherd, Chair of the Fire Standing Committee, addressed the Council stating this item comes with the approval of the Fire Standing Committee for a Council vote.

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J. Shepherd made a motion to approve this item. Second made by K. Wooten. Motion approved.

Item A – 5 Request from the City of Reidsville for approval to perform local plan review on buildings listed in Table 104.1 of the 2018 NC Administrative Code & Policies.

Carl Martin, NCDOI staff, addressed the Council regarding this item giving recommendation to approve this request.

Bridget Herring, Chair of the Administration Standing Committee, stated this item has the support of the committee to be brought before the Council for a vote.

J. Shepherd made a motion to approve this item. Second made by D. Gieser. Motion approved.

Item A – 6 Rules Review Commission Meeting Report

David Rittlinger, NCDOI staff, reported the Rules Review Commission met in January regarding the items that passed at the December 2022 Building Code Council meeting.

1. Item A-8 from the December 2022 meeting regarding the temporary rules as directed by NC Session Laws 2022-6 and 2022-46: Section N1103.3.1 of the 2018 NC Residential Code for One- and Two- Family Dwellings, and Sections R403.3.1 and C403.2.9 of the 2018 NC Energy Conservation Code. It has an expiration date of March 17, 2024.
2. Item D-1 from the December 2022 meeting regarding amending the 2020 National Electrical Code, Article 100 Definitions was approved. Item D-1 has an effective date of 1/1/2024.
3. Item D-2 from the December 2022 meeting regarding the 2018 NC Fire Code, Section D107.1 One- or two-family dwelling residential developments. Due to this being a legislative assembly perpetuated change directed to the Council, the Rules Review Commission did not look at this one as it requires a legislative review to be done before it is adopted in the code. This review will be done during the legislative short session.
4. Item D-3 from the December 2022 meeting regarding the 2018 NC Fire Code, Section D107.2 Remoteness. This is also a legislative assembly change directed to the Council, so the Rules Review Commission did not look at this one as it requires a legislative review before it is adopted in the code. This review will be done during the legislative short session.

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5. Item D-4 from the December 2022 meeting was approved. This is regarding the 2018 NC Fire Code Sections 510.4.2 System design, 510.5 Installation requirements, 510.5.4 Acceptance test procedure, and Chapter 80 Referenced Standards. Item D-4 has an effective date of 1/1/2024.
6. Item D-5 and D-6 from the December 2022 meeting regarding the 2018 Plumbing Code, Table 605.3 Water Service Pipe and the 2018 Residential Code, Table P2906.4 Water Service Pipe are legislative-directed changes as well and require a legislative review. This review will be done during the legislative short session.

Item A – 7 Public Comments

Dan Tingen addressed the Council regarding a copy of an email he received referencing an upcoming Joint Residential and Energy Ad Hoc Committee meeting to revisit Chapter 11. He noticed Robert Privott was not included on the email's distribution list. Mr. Tingen asked Chair Herring if Mr. Privott would be able to continue his work with the committee even though he was no longer with the NC Home Builders Association. Mr. Tingen felt it would be valuable to have Mr. Privott continue with the committee to utilize the extensive working knowledge that Robert has in this area. Chair Herring explained that she had a conversation with Cliff Isaac regarding this matter since Mr. Isaac assumed the position recently vacated by Mr. Privott with the NC Home Builders Association. Mr. Isaac stated he would be representing the NC Home Builders Association on the committee. Ms. Herring continued by saying that Mr. Isaac and Mr. Privott could discuss the matter and decide who would be representing the NC Home Builders Association on the committee.

Mrs. Annette Powell from Jamestown, NC addressed the Council concerning load calculations for HVAC systems and the results of installing oversized systems in homes causing physical damage to homes and severe health problems due to mold. She referenced "NC Mechanical Code 312.1" and the "21 NC Administrative Code 50.0505 Sections (e) and (f)." Mrs. Powell provided a handout to the NCBCC for reference,

Christine Mackie addressed the Council regarding load calculations for HVAC systems and the results of mold in her home at the coast.

Tracy McRae addressed the Council regarding the load calculations for HVAC systems and the results of mold problems in homes as a result.

Part B – New Petition for Rulemaking

The following Petitions for Rulemaking have been received since the last Council meeting. The Council will vote either to deny or grant these Petitions. The Council will give no further consideration to Petitions that are denied. Petitions that are granted may

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proceed through the Rulemaking process. The council may send any Petition to the appropriate committee. The hearing will take place during or after the March 14, 2023 meeting. All B items can be viewed and downloaded from:
<https://www.ncosfm.gov/news/events/building-code-council-meeting-march-14-2023>.

Item B – 1 Request from the BCC Mechanical Standing Committee to adopt the 2024 edition of the North Carolina Plumbing Code as presented by the committee.

Mark Matheny, Chair of the Plumbing Ad-hoc Committee, stated this item has the support of the committee to be brought before the Council for a vote.

Natalie MacDonald, Chair of the Mechanical 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 made by D. Shearin. Second made by J. Hilton.
Motion passed.**

**Commercial Super Committee: Motion to accept made by K. Wooten. Second made by N. MacDonald.
Motion passed.**

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

Item B – 2 NCMC Request from the BCC Mechanical Standing Committee to adopt the 2024 edition of the North Carolina Mechanical Code as presented by the committee.

Staff was unable to complete this petition by the deadline. This item was withdrawn and will be resubmitted for the June 13, 2023 Building Code Council meeting.

Item B – 3 Request from the BCC Mechanical Standing Committee to adopt the 2024 edition of the North Carolina Fuel Gas Code as presented by the committee.

Staff was unable to complete this item by the deadline. This item was withdrawn and will be resubmitted for the June 13, 2023 Building Code Council meeting.

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Item B – 4 Request from the BCC Residential Standing Committee to adopt the 2024 edition of the North Carolina Residential Code Chapters 1-10, 25-33, 45, 46 and Appendices as presented by the committee.

Gary Emblar, Chair of the Residential 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 made by J. Hilton. Second made by C. Berg.

Jason Shepherd, Chair of the Fire Standing Committee, addressed the committee for the record, regarding his concerns to the adoption of Section R313 which will cause items to be deleted from this code, specifically townhouse automatic fire sprinkler systems and one- and two- family dwellings automatic sprinkler systems would be removed. As a member of the Fire Standing committee, he recommends automatic fire sprinkler systems be added to this item.

Motion passed as presented.

Building Code Council: Motion to accept made by G. Emblar. Second made by J. Hilton.

Discussion was had as to whether a separate B-item could be brought forward in June to address automatic sprinkler systems in residential dwellings if this item passed as it is currently written.

Jason Shepherd, Chair of the Fire Standing Committee, stated for the record that the Fire Standing Committee did not have a chance to look at this item with the Residential Standing Committee.

Motion passed.

The Residential & Fire Standing Committees will meet to discuss this more before the June 13, 2023 meeting with advisement of the applicable General Statutes coming from Nathan Childs, NCDOJ Assistant Attorney General.

Item B – 5 Request from Natalie MacDonald, Chair of the NC BCC Mechanical Standing Committee to adopt and incorporate Chapters 12-23 (Mechanical) and Chapter 24 (Fuel-Gas) of the 2024 edition of the NC Residential Code, into the 2024 edition of the NC Residential Code.

Staff was unable to complete this petition by the deadline. This item was withdrawn and will be resubmitted for the June 13, 2023 Building Code Council meeting.

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Item B – 6 Request from Gloria Shealey, Chair of the NC BCC Energy Standing Committee to adopt and incorporate Chapter 11 (Energy) of the 2024 edition of the NC Residential Code, into the 2024 edition of the NC Residential Code.

Gloria Shealey, Chair of the Energy Standing Committee, addressed the committee and recommended this item be tabled until the June 13, 2023 Building Code Council meeting.

Gary Embler, Chair of the Residential Standing Committee, concurred with the decision to table this item until the June 13, 2023 meeting.

**Residential Super Committee: Motion to table this item until the June 13, 2023 Council meeting made by C. Berg. Second made by J. Hilton.
Motion passed.**

No further action taken by the Building Code Council at this time.

Item B – 7 Request from Gary Embler, Chair of the NC BCC Residential Standing Committee to adopt and incorporate Chapter 11 (Energy), Chapters 12-23 (Mechanical), and Chapter 24 (Fuel-Gas) of the 2018 edition of the NC Residential Code, into the 2024 edition of the NC Residential Code.

Staff was unable to complete this petition by the deadline. This item was withdrawn and will be resubmitted for the June 13, 2023 Building Code Council meeting.

Item B – 8 Request from Carl Martin representing NCDOI to amend the 2024 NC Building Code, Section 101.2 as follows:

[A] 101.2 Scope. The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exception: If any of the following apply, then the building or structure is exempt from the provisions of this code:

1. Detached one- and two-family *dwelling*s and *townhouses* not more than three *stories above grade plane* in height with a separate *means of egress*, and their accessory structures not more than three *stories above grade plane* in height, shall comply with this code or the *International Residential Code*.

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2. Farm buildings not used for:
 - a. Sleeping purposes; or
 - b. Storage of hazardous materials in excess of those listed in Tables 307.1(1) and 307.1(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 outlet of the first stage pressure regulator, anhydrous ammonia or other liquid fertilizer.
4. The design, construction, location, installation or operation of equipment of facilities of a public utility, as defined in N.C.G.S. 62-3, or 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.
5. The storage and handling of substances governed by the Hazardous Chemical Right to Know Act in N.C.G.S. Chapter 95, Article 18.
6. Retaining walls complying with any of the following:
 - a. 3 feet or less in height where a guard is required;
 - b. 5 feet or less of cumulative fill within 3 feet horizontally from the wall;
 - c. Not located within 15 feet of another retaining wall; and
 - d. Not located within 3 feet of a building or structure.
7. Farm structures exempt by N.C.G.S 143-138(b4).

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

David Gieser, Chair of the Building Standing Committee, stated this item has the support of the committee to be brought before the Council for a vote.

**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 D. Gieser. Second made by C. Berg.
Motion passed.**

Chair Herring noted for the record that Rob Zapple of the NCBCC was no longer in the meeting.

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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.

Item B – 10 Request from Carl Martin representing NCDOI to amend the 2024 NC Existing Building Code, Section 101.2 as follows:

[A] 101.2 Scope. The provisions of this code shall apply to the *repair, alteration, change of occupancy, addition* to and relocation of *existing buildings*.

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Exceptions:

1. Detached one- and two-family dwellings and townhouses not more than three stories above grade plane in height with a separate means of egress, and their accessory structures not more than three stories above grade plane in height, shall comply with this code or the *International Residential Code*.
2. This code shall not apply to buildings constructed under exemption by North Carolina State law to compliance with North Carolina State Building Codes.

Carl Martin, NCDOI staff, summarized this item for the Council.

Mark Matheny, Chair of the Existing Building 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 G. Shealey.
Second made by M. Matheny.
Motion passed.**

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

Item B – 11 Request from Carl Martin representing NCDOI to amend the 2024 NC Energy Conservation Code, Section C101.2 and R102.2 as follows:

C101.2 Scope. This code applies to *commercial buildings* and the buildings' sites and associated systems and equipment.

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

R101.2 Scope. This code applies to *residential buildings, building sites* and associated systems and equipment.

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

Carl Martin, NCDOI staff, summarized this item for the Council.

Gloria Shealey, Chair of the Energy Standing Committee, stated this item has the support of the committee to be brought before the Council for a vote.

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**Residential Super Committee: Motion to accept this item made by C. Berg.
Second made by M. Matheny.
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 D. Gieser. Second
made by M. Matheny.
Motion passed.**

**Item B – 12 Request from Carl Martin to amend the 2024 NC Existing Building
Code, Section 803.2.1.2 as follows:**

803.2.1.2 Low-rise buildings. Work areas that increase the fire area or
calculated occupant load above the limits listed in Section 903.2 of the
International Building Code shall meet the requirements of those sections.

Exception: Where an automatic sprinklers system is not existing in a
building or otherwise required by Section 803, *North Carolina Building
Code* Section 903.2.8 shall not be applied for Group R-3.

Carl Martin, NCDOI staff, summarized this item for the Council.

Mark Matheny, Chair of the Existing Building Standing Committee, stated this item has
the support of the committee to be brought before the Council for a vote.

**Commercial Super Committee: Motion to accept this item made by M. Matheny.
Second made by C. Berg.
Motion passed.**

**Building Code Council: Motion to accept this item made by D. Gieser. Second
made by M. Matheny.
Motion passed.**

**Item B – 13 Request from Carl Martin representing NC Board of Architecture and
Registered Interior Designers to amend the 2024 NC Administrative
Code, Section Appendix B as follows:**

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APPENDIX B

**2024 BUILDING CODE SUMMARY
FOR ALL COMMERCIAL PROJECTS**

(EXCEPT ONE- AND TWO-FAMILY DWELLINGS AND TOWNHOUSES)
(Reproduce the following data on the building plans sheet 1 or 2)

CONTACT: _____

DESIGNER	FIRM	NAME	LICENSE #	TELEPHONE #	E-MAIL
Architectural	_____	_____	_____	() _____	_____
Registered Interior Designer	_____	_____	_____	() _____	_____
Electrical	_____	_____	_____	() _____	_____
Fire Alarm	_____	_____	_____	() _____	_____
Plumbing	_____	_____	_____	() _____	_____
Mechanical	_____	_____	_____	() _____	_____
Sprinkler- Standpipe	_____	_____	_____	() _____	_____
Structural	_____	_____	_____	() _____	_____
Retaining Walls > 5 feet High	_____	_____	_____	() _____	_____
Other	_____	_____	_____	() _____	_____

("Other" should include firms and individuals such as truss, precast, pre-engineered, nonregistered interior designers, etc.)

(Appendix B beyond this portion remains unchanged by this amendment.)

Carl Martin, NCDOI staff, summarized this item for the Council.

Bridget Herring, Chair of the Administration Standing Committee, stated this item has the support of the committee to be brought before the Council for a vote.

**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 A. Cole. Second made by M. Matheny.
Motion passed.**

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Item B – 14 Request from Carl Martin representing NC Building Code Council to amend the 2024 NC Administrative Code, Sections 106.3.1 and 106.3.2 as follows:

106.3.1 Information required. A permit application shall be filed with the Inspection Department on a form (see Appendix A) furnished for that purpose. The Inspection Department shall make available a list of information that must be submitted with the building permit application, including a complete ~~building code summary~~ Building Code Summary (see ~~Appendix A of the Administrative Code and Policies~~ Appendix B) complying with 106.3.2.

Exception: A Building Code Summary is not required if the AHJ (Authority Having Jurisdiction) determines plan review can be performed without the Building Code Summary.

106.3.2 Building Code Summary. ~~The Inspection Department's building code summary~~ Building Code Summary used by an AHJ shall be in the exact format as, and contain only the information in, Appendix B of the Administrative Code and Policies. ~~The Inspection Department~~ An AHJ shall only modify ~~its building code summary~~ the Building Code Summary as set forth in section 103.6 Modifications, or as necessary to reflect any changes by the Office of State Fire Marshal to Appendix B that have been approved by the Building Code Council.

Carl Martin, NCDOI staff, summarized this item for the Council.

Bridget Herring, Chair of the Administration Standing Committee, stated this item has the support of the committee to be brought before the Council for a vote.

Commercial Super Committee: Motion to accept this item made by K. Wooten. Second made by M. Matheny. Motion passed.

Building Code Council: Motion to accept this item made by C. Berg. Second made by M. Matheny. Motion passed.

Item B – 15 Request from Marielena Salazar & Kyle Baker representing Shell Retail & Convenience Operations (dba Shell TapUp) to amend the 2024 NC Fire Code, Section 5706.5.4.5 as follows:

5706.5.4.5 Commercial, industrial, governmental or manufacturing establishments. Dispensing of Class I, II and III motor vehicle fuel from

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tank vehicles into the fuel tanks of motor vehicles located at commercial, industrial, governmental or manufacturing establishments is allowed where approved ~~permitted~~ provided that such dispensing operations are conducted in accordance with the following:

Marielena Salazar representing Shell addressed the Council and summarized 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.

Commercial Super Committee: Motion to accept this item made by J. Shepherd. Second made by M. Matheny. Motion passed.

Building Code Council: Motion to accept this item made by J. Shepherd. Second made by A. Cole. Motion passed.

Item B – 16 Request from Adam Hill representing Simpson Strong-Tie to amend the 2018 NC Building Code, Section 3605.3.1 as follows:

3605.3.1 Wood Connections.

All wood connections shall be designed to resist the forces specified in Section 3604. Steel steel bolts, rods and other hardware shall be hot-dipped galvanized in accordance with ASTM A153 or protected with an equivalent system. All Where bolts, or rods and other metal materials are used, they shall be no smaller than 5/8-inch in diameter. Beams, girders or pile caps shall be attached to the piling with a minimum of two 5/8-inch hot-dip galvanized steel bolts per beam member through bolted at each piling or a connection having equivalent capacity and corrosion resistance. The piling Piling shall not be notched so that the cross-section is reduced below 50 percent. Threaded fasteners shall not be tightened directly against wood surfaces but used only in conjunction with standard ogee or flat washers. Cold formed metal connectors shall not be used in wet applications or applications subject to wetting and drying cycles, unless they are manufactured from Stainless Steel meeting grade 316. Mooring hardware, including cleats, and pile guides shall be through bolted using sizes recommended by the manufacturer.

This item was withdrawn by the proponent.

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Part C – Notice of Rulemaking Proceedings and Public Hearing

The following Petitions for Rulemaking have been granted by the Council. Notice of Rulemaking proceedings has been made. The Public Hearing was held on March 14, 2023, and the Final Adoption meeting may take place on or after June 13, 2023. The written public comment period expires on April 17, 2023. All C items can be viewed and downloaded from: <https://www.ncosfm.gov/news/events/building-code-council-meeting-december-13-2022>.

Items C-3 through C-6 represent the proposed amendments to the 2021 International Codes to establish the 2024 NC Building Codes.

The 2021 International Codes for Items C-3 through C-6 can be found by clicking on the applicable code icon at the following link on the ICC website:

<https://codes.iccsafe.org/codes/i-codes/2021-icodes>

Item C – 1 Request from the BCC NCAC&P Standing Committee to adopt the 2024 edition of the North Carolina Administrative Code and Policies as presented by the committee (221213 Item B-1).

David Crawford, Executive Vice President for the NC American Institute of Architects, thanked the Council and the ad-hoc committee members for all their work on the codes the last couple of years. He also thanked Carl Martin and DOI staff for working with NCAIA in preparing to roll out the new codes. The AIA nationally and in North Carolina has advocated and continues to advocate for a three-year code cycle and hopes NC will go back to a three-year code cycle for the adoption of the NC Building Codes. Mr. Crawford provided a handout to the NCBCC for reference.

Item C – 2 Request from the BCC NCAC&P Standing Committee to revise Administrative Code and Policies, Section 107 (221213 Item B-2).

Cliff Isaac representing the NC Home Builders Association addressed the Council in opposition of this item.

Item C – 3 Request from the BCC Building Code Standing Committee to adopt the 2024 edition of the North Carolina Building Code as presented by the committee (221213 Item B-3).

Brian Paine representing Duda/Paine Architects and the American Institute of Architects Task Force that was responsible for the handouts that were given to the Council by David Crawford, addressed a couple of items from that handout concerning the building code.

1. 308.3.1.2 that deals with the difference between DHSR's requirements and the code's requirements as it concerns assisted living facilities and whether they are I-1 or I-2. There is a conflict that is difficult to navigate, and they would like to see this addressed.

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2. Table 1004.5 that deals with business occupancy, the life safety code NFPA 101, and the base model code ICC. Both of those codes recommend 150 occupants for business occupancy and the proposal is to keep it at 100. He proposes the occupancy load move to 150 to keep in alignment with the other codes due to fact that the model workplace has changed since 1934 when 100 was set and 150 is a reasonable number to meet and remaining at 100 will impact other areas in the building unnecessarily.

Item C – 4 Request from the BCC Fire Prevention Code Standing Committee to adopt the 2024 edition of the North Carolina Fire Prevention Code as presented by the committee (221213 Item B-4).

Colin Triming with the NC Fire Code Revision Committee supports this item and a three-year code cycle.

Item C – 5 Request from the BCC Existing Building Code Standing Committee to adopt the 2024 edition of the North Carolina Existing Buildings Code as presented by the committee (221213 Item B-5).

No public comments.

Item C – 6 Request from the BCC Energy Conservation Code Standing Committee to adopt the 2024 edition of the North Carolina Energy Conservation Code as presented by the committee (221213 Item B-6).

Cameron Moore representing the Wilmington Cape Fear Home Builders Association addressed the Council in opposition of this item.

Cliff Isaac representing the NC Home Builders Association addressed the Council in opposition of this item.

Tom Phoenix representing MCI (Mechanical Contractors, Inc.) and past-President of ASHRAE addressed the Council in support of this item.

Jim Derrickson representing the Raleigh-Wake Home Builders Association addressed the Council in opposition of this item.

Scott Lane representing the Raleigh Chapter of the Citizens Climate Lobby addressed the Council in support of this item.

Tim Williams addressed the Council in opposition of this item.

David Menaker addressed the Council in opposition of this item.

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Taylor Bennett representing Evans Coghill addressed the Council in opposition of this item.

Brian Payne of Lambert A-I recommended an increase from 10% to a 20% buffer to allow more flexibility for existing buildings.

Courtney Smith-Gonzalez representing D.R. Horton addressed the Council in opposition of this item.

Jonathan Cooper representing D.R. Horton addressed the Council in opposition of this item.

Paul Kane representing the Home Builders Association of Raleigh-Wake County addressed the Council in opposition of this item.

Mark Martin representing OBX Home Builders addressed the Council in opposition to this item.

Duke Geraghty representing the Outer Banks Home Builders Association addressed the Council in opposition of this item.

Ward Lenz representing the NCSEA (NC Sustainable Energy Association) addressed the Council in support of this item.

Lauren Roseborough representing Meritage Homes addressed the Council in opposition of this item.

Randall Femester representing Meritage Homes addressed the Council in opposition of this item.

Gary Smith representing the North Carolina Interfaith Power & Light addressed the Council in support of this item.

Alex Yost representing Exeter Building Company addressed the Council in opposition to this item.

Joel Geniesse representing Smith Douglas Homes addressed the Council in opposition to this item.

John Rees representing the North Carolina Interfaith Power & Light addressed the Council in support of this item.

Jodi Bakst representing Real Estate Experts addressed the Council in support of this item.

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Thomas McClain representing Home Sweet Home addressed the Council in opposition of this item.

Tom McKay representing D.R. Horton addressed the Council in opposition of this item.

David Neal representing the Southern Environmental Law Center addressed the Council in support of this item.

Ann Oakley representing D. R. Horton addressed the Council in opposition of this item.

Laura Combs representing Eagle Solar & Light addressed the Council in support of this item.

Rob Howard representing Howard Building Science addressed the Council in support of this item.

Charles Leahy representing Eco-Panels addressed the Council in support of this item.

Andrew Travers representing Travers Built Homes addressed the Council in opposition of this item.

Tom Anhut, representing himself as a local builder, addressed the Council in opposition of this item.

Dan Tingen representing Tingen Construction and Former Chair of the NCBCA addressed the Council in opposition of this item.

Jay Oats, an Outer Banks builder, addressed the Council in opposition of this item.

Skip Jones, an Outer Banks builder, addressed the Council in opposition of this item.

Fred Kichach with a multi-family construction builder from High Point, addressed the Council in opposition of this item.

Phil Travers, homebuilder, addressed the Council in opposition to this item.

Joel Geniesse representing Smith Douglas Homes spoke in rebuttal to some of the statements that were made in support of the item. (He is opposed to this item.)

David Menaker spoke in rebuttal to some of the statements that were made in support of the item. (He is opposed to this item.)

Pending BCC Approval

Part D – Final Adoption

The following Petitions for Rulemaking have been granted by the Council. Notice of Rulemaking proceedings and Public Hearing has been made. The Public Hearings were held on December 13, 2022. The Final Adoption meeting will take place on March 14, 2023. The Council will give no further consideration to Petitions that are disapproved. Petitions that are approved will proceed through the Rulemaking process. The effective date is January 1, 2024 unless otherwise noted.

Item D – 1 Request by Carl Martin representing NC Department of Insurance to amend the 2018 NC Plumbing Code, Table 403.1 and 202 and the 2018 NC Building Code, Table 2902.1 and 202 as follows (220913 Item B-1):

NC PLUMBING CODE:

TABLE 403.1 - MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS (URINALS: SEE SECTION 419.2)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410)	OTHER
				MALE	FEMALE	MALE	FEMALE			
1	Assembly (See Sections 403.2, 403.3 and 403.3.3.2)	A-3	Places of worship and other religious services. Including churches Churches without assembly halls ^e	per 150	1 per 75	1 per 200		-	1 per 1,000	1 service sink

e. The number of fixtures provided shall be based on either the capacity of the church sanctuary or the church educational building (including fellowship halls and multiple purpose rooms), whichever is larger ~~and within 300 feet (91.44 m)~~. Remote buildings applying this footnote shall be a maximum of 300 feet (91.44 m) exterior travel distance to the nearest entrance of the building containing required plumbing fixtures and the total plumbing fixture access travel distance shall comply with Section 403.3.3. The path of travel between buildings is not required to be enclosed or covered when applying this footnote.

(The remainder of Table 403.1 remains unchanged by this proposed amendment.)

Section 202 – General Definitions

Travel distance, plumbing fixture access. Travel distance shall be measured from the most remote point of each room, area or space along the natural, unobstructed and accessible path of horizontal and vertical travel to the entrance to the nearest toilet room containing plumbing fixtures required to serve the room, area or space.

Pending BCC Approval

NC BUILDING CODE:

[P] TABLE 2902.1

MINIMUM NUMBER OF REQUIRED PLUMBING FIXTURES

NO.	CLASSIFICATION	OCCUPANCY	DESCRIPTION	WATER CLOSETS (URINALS: SEE SECTION 419.2 OF THE INTERNATIONAL PLUMBING CODE)		LAVATORIES		BATHTUBS/ SHOWERS	DRINKING FOUNTAIN (SEE SECTION 410 OF THE INTERNATIONAL PLUMBING CODE)	OTHER
				MALE	FEMALE	MALE	FEMALE			
1	Assembly (See Sections 403.2, 403.3 and 403.3.3.2)	A-3	Places of worship and other religious services. <u>Including</u> <u>churches</u> Churches without assembly halls ^e	1 per 150	1 per 75	1 per 200		-	1 per 1,000	1 service sink

e. The number of fixtures provided shall be based on either the capacity of the church sanctuary or the church educational building (including fellowship halls and multiple purpose rooms), whichever is larger ~~and within 300 feet (91.44 m)~~. Remote buildings applying this footnote shall be a maximum of 300 feet (91.44 m) exterior travel distance to the nearest entrance of the building containing required plumbing fixtures and the total plumbing fixture access travel distance shall comply with Section 2902.3.2. The path of travel between buildings is not required to be enclosed or covered when applying this footnote.

(The remainder of Table 2902.1 remains unchanged by this proposed amendment.)

Section 202 – Definitions

Travel distance, plumbing fixture access. Travel distance shall be measured from the most remote point of each room, area or space along the natural, unobstructed and accessible path of horizontal and vertical travel to the entrance to the nearest toilet room containing plumbing fixtures required to serve the room, area or space.

Natalie MacDonald, Chair of the Mechanical 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 approve made by J. Hilton. Second made by D. Shearin.

Motion passed.

Commercial Super Committee: Motion to approve made by K. Wooten. Second made by N. MacDonald.

Motion passed.

Pending BCC Approval

Building Code Council: Motion to approve made by N. MacDonald. Second made by D. Gieser.

Motion passed.

Item D – 2 Request by Carl Martin representing NC Department of Insurance to amend the 2018 NC Building Code and Fire Code, Table 1004.1.2 as follows (220913 Item B-2):

**TABLE 1004.1.2
MAXIMUM FLOOR AREA ALLOWANCES PER OCCUPANT^c**

Skating rinks, swimming pools, recreational courts	
Rink, pool, and recreational court	50 gross
Decks	15 gross ^d

For SI: 1 square foot = 0.0929 m², 1 foot = 304.8 mm.

- a. Floor area in square feet per occupant.
- b. An assembly occupancy conference room that is accessory to a Group B office occupancy and meeting the requirements of Section 303.1, exception 2, shall be calculated at 100 square feet per occupant for determining the overall occupant load of the associated floor. The assembly occupancy shall be calculated at 15 square feet per occupant for the purpose of determining egress from the room containing the assembly occupancy.
- c. For mixed uses sum all loads before rounding up to the next whole number.
- d. Occupant circulation area required by NCAC 18A.2522 around the edge of a swimming pool shall not be included in the deck gross floor area.

(The remainder of Table 1004.1.2 remains unchanged by this proposed amendment.)

David Gieser, Chair of the Building Standing Committee, stated this item has the support of the committee to be brought before the Council for a vote.

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.

Commercial Super Committee: Motion to approve made by M. Matheny. Second made by G. Shealey.

Motion passed.

Building Code Council: Motion to approve made by C. Berg. Second made by M. Matheny.

Motion passed.

Pending BCC Approval

Part E – Reports

❖ Ad-Hoc Committee Reports

The Residential and Energy Ad-hoc Committees set their next meeting as a virtual meeting on April 3, 2023 at 9:00am to discuss Chapter 11 of the proposed 2024 NC Residential Code.

The Electrical Ad-hoc Committee had their last meeting on March 9th and are almost a third of the way through the 2023 NEC. They anticipate completing it before May 1st in order to propose it as a B item at the June 13, 2023, meeting, with the goal of having an effective date of July 1, 2024.

The Mechanical Standing Committee will meet with the Residential Standing Committee set their next meeting on April 5, 2023, at 9:00 am to discuss Chapter 12 through 24 of the proposed 2024 NC Residential Code.

❖ Standing Committee Reports

There were no Standing Committee Reports.

❖ Staff Reports

David Rittlinger, staff with NC DOI, reported that staff will be sending out the meeting invitations as soon as possible for the upcoming committee 4/3/2023 and 4/5/2023 meetings.

OSFM staff is in the process of moving. At this point, we anticipate we probably will not be in the new space until mid-April due to some construction delays.

For the benefit of the Council, Mr. Rittlinger informed the Council members that all meetings that have already been scheduled at the Albemarle building in 2023 are still scheduled to be held in room 245. If anything has to change, the Council will be notified as soon as possible.

❖ Chair Report

Chair Herring reminded Council members to complete their Conflict of Interest/Ethics paperwork. This can be done online and are due in April.

Currently it appears all members are in compliance with their training. If they are not, they will be receiving an email in order to bring everything up to date.

Pending BCC Approval

Chair Herring also reminded committee members that all proposals that are going to be submitted for the June 13, 2023 meeting have to be submitted by May 1st.

Part F – Appeals

Davidson County Fire Marshal's Office appeal is scheduled to be continued on April 26, 2023 at 9:00 a.m. at the Albemarle Building (325 N. Salisbury St, Raleigh NC) in Room 245.

Rowan-Cabarrus Community College appeal is scheduled to be held on July 26, 2023 at 9:00 a.m. at the Albemarle Building (325 N. Salisbury St, Raleigh NC) in room 245.

Adjourned