



North Carolina Building Code Council

Staffed by the NC Department of Insurance

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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)

September 1, 2023

Bridget Herring
P.O. Box 7148
Asheville, NC 28802

RE: Agenda for the September 12, 2023 NC Building Code
Council Meeting

Ms. Herring:

This is officially to notify you and other interested parties of a regularly scheduled meeting of the NC Building Code Council. Persons requiring auxiliary services should notify the Council at least ten business days prior to the meeting.

1. The NC Building Code Council Meeting will begin at 9:00AM on Tuesday, September 12, 2023 (Albemarle Building, Room 245). The meeting can be viewed remotely via Facebook Live (<https://www.facebook.com/NCOSFMEngineering>). Remote access does not provide capability to address the council.
2. Standing Committees will meet beginning at 9:00AM on Monday, September 11, 2023 (Albemarle Building, Room 245).
3. The Agenda is printed as follows:
 - A- Items - Administrative items that require Council action and temporary rules.
 - B- Items - New amendment petitions introduced at this meeting.
 - C- Items - Amendments that have been granted by the Council and advertised in the NC Register for public hearing.
 - D- Items - Adoption of amendments by the Council prior to approval by the Rules Review Commission.
 - E- Items - Reports from Committees and Staff.
 - F- Items - Notice of Appeal Hearings.

Part A – Administrative Items

- Item A – 1 Swearing – in of a new Council member as appointed by the Governor.**
- Item A – 2 Election of NCBCC Chair.**
- Item A – 3 Ethics Statement: Inquire upon conflicts of interest or appearance of conflicts that exist within the Council.**
- Item A – 4 Approval of minutes of the June 13, 2023 NC Building Code Council Meeting.**
- Item A – 5 Request from the Town of Leland for approval to perform local plan reviews in accordance with Section 104.1.2 of the NC Administrative Codes and Policies.**
- Item A – 6 Request from staff for approval of “Affidavit of on-site wastewater existing system pursuant to N.C.G.S. 160D-1110(h1)” to comply with SL 2023-90 (H628) that was signed into law on 7/10/23 and becomes effective 10/1/23.**
- Item A – 7 Rules Review Commission Meeting Report**
- Item A – 8 Public Comments**

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 proceed through the Rulemaking process. The council may send any Petition to the appropriate committee. The hearing will take place during or after the September 12, 2023 meeting. All B items can be viewed and downloaded from:

<https://www.ncosfm.gov/news/events/building-code-council-meeting-september-12-2023>.

There will be no B items received from the floor.

- Item B – 1 Request from Cheryl K. Dean and Timothy W. Maloney representing the NC Registered Landscape Architects to amend the 2024 NC Administrative Code and Policies, Sections 204.4.5 and 204.4.5.1 as follows:**

204.4.5 Design professional seal required. Where the General Statutes, North Carolina Board of Architecture and Registered Interior Designers, the North Carolina Board of Landscape Architects, or the North Carolina Board of Examiners for Engineers and Land Surveyors require, no permit shall be issued unless the construction documents (drawings and specifications), bear the North Carolina seal of a registered design professional. Construction documents shall include the name and address of the business entity (individual, corporation or partnership) with whom the registered design professional is affiliated. Questions concerning this section should be directed to the North Carolina Board of Architecture and Registered Interior Designers, the North Carolina Board of Landscape Architects, the North Carolina Board of Examiners for Engineers and Land Surveyors, or the National Institute for Certified Engineering Technologies (NICET) Board of Governors.

204.4.5.1 Registered design professional. The registered design professional shall be a registered architect, registered interior designer, registered landscape architect, licensed professional engineer or NICET Level III sprinkler or fire alarm designer legally registered or licensed under the laws of this state.

Item B – 2 Request from Carl Martin representing himself to amend the 2024 NC Building Code, Section 3302.4 and Table 506.2 as follows (Fiscal Note is required per NCGS 143-138(a1)(1) as this proposed code change increases the cost of residential housing by \$80 or more per housing unit):

SECTION 506
BUILDING AREA

TABLE 506.2
ALLOWABLE AREA FACTOR (A_t = NS, S1, S13R, S13D or SM, as applicable) IN SQUARE FEET^{a, b}

OCCUPANCY CLASSIFICATION	SEE FOOTNOTE S	TYPE OF CONSTRUCTION											
		Type I		Type II		Type III		Type IV				Type V	
		A	B	A	B	A	B	A	B	C	HT	A	B
R-2 ^h	NS ^d	UL	UL	24,000	16,000	24,000	16,000	61,500	41,000	25,625	20,500	12,000	7,000
	S13R					18,000	11,500						
	S1	UL	UL	96,000	64,000	96,000	64,000	246,000	164,000	102,500	82,000	48,000	28,000
	SM	UL	UL	72,000	48,000	72,000	48,000	184,500	123,000	76,875	61,500	36,000	21,000

(The remainder of Table 506.2 remains unchanged by this amendment.)

3302.4 Firewall construction for Type III and Type V construction. For buildings of Type III and Type V construction, where fire walls complying with Section 706 are provided, the fire walls shall be constructed and completed at each story before other walls or partitions are constructed for the story and before the story or roof above the story is constructed.

Exception: Horizontal lengths of interior or exterior wall that are not part of the fire-resistant-rated fire wall may be constructed to provide horizontal stability for the fire wall. The length of such supporting walls is limited to the height of the story until the fire wall of the story above is completed or the horizontal assembly above the story is completed.

Item B – 3 Request from Kerry Sutton, P.E. representing the American Concrete Institute, Edward Deaver representing the ACI Carolinas Chapter, Caroline Sutton representing Carolinas Ready Mixed Concrete Association, Shamim Rashid-Sumar, P.E., F.S.F.P.E. representing National Ready Mixed Concrete Association, Griff Shapack, P.E. representing Simpson Strong-Tie, Jay Pease, P.E. representing Owens Corning/Infrastructure Solutions, Jerzy Zemajtis, P.E. representing NEX: An ACI Center of Excellence for Nonmetallic Building Materials, and Jay Thomas representing Structural Technologies to amend the 2024 NC Building Code, Section 1901 as follows:

1901.2 Plain and reinforced concrete. Structural concrete shall be designed and constructed in accordance with the requirements of this chapter and ACI 318 as amended in Section 1905 of this code. Except for the provisions of Section 1904 and 1907, the design and construction of slabs on grade shall not be governed in this chapter unless they transmit vertical *loads* or lateral forces from other parts of the structure to the soil.

1901.2.1 Structural concrete with GFRP reinforcement. Cast-in-place structural concrete internally reinforced with glass fiber reinforced polymer (GFRP) reinforcement conforming to ASTM D7957 and designed in accordance with ACI CODE 440.11 shall be permitted where fire resistance ratings are not required and only for structures assigned to Seismic Categories A, B or C.

Exception: Concrete internally reinforced with GFRP bars shall not be permitted for concrete elements that are part of the seismic lateral force resisting system in structures assigned to Seismic Design Categories B or C.

Add new reference standard(s) to Chapter 35 as follows:

ACI

440.11-22 Building Code Requirements for Structural Concrete Reinforced with Glass Fiber-Reinforced Polymer (GFRP) Bars-Code and Commentary.....1901.2.1

ASTM

D7957-17 Standard Specification for Solid Round Glass Fiber Reinforced Polymer Bars for Concrete Reinforcement.....1901.2.1

Item B – 4 Request from Julius Ballanco, P.E. representing JB Engineering and Code Consulting, P.C. to amend the 2024 NC Mechanical Code, Chapter 15 as follows:

ASHRAE	ASHRAE 1791 Tullie Circle, NE Atlanta, GA 30329	
15— 2019 <u>2022</u>	Safety Standard for Refrigeration Systems	1101.1, 1106.4.2
34— 2019 <u>2022</u>	Designation and Safety Classification of Refrigerants	1102.2.1, 1103..1, Table 1103.1
UL	UL LLC 333 Pfingsten Road Northbrook, IL 60062-2096	
UL/CSA 60335-2-40- 2019 <u>2022</u>	Household And Similar Electrical Appliances - Safety — Part 2-40: Particular Requirements for Electrical Heat Pumps, Air-Conditioners and Dehumidifiers	908.1, 916.1, 918.1, 918.2, Table 1101.2
UL/CSA 60335-2-89- 17 <u>2021</u>	Household And Similar Electrical Appliances - Safety — Part 2-89: Particular Requirements for Commercial Refrigerating Appliances with an Incorporated or Remote Refrigerant Units or Compressor	Table 1101.2

Item B – 5 Request from Julius Ballanco, P.E. representing JB Engineering and Code Consulting, P.C. to amend the 2024 NC Mechanical Code, Section 1101.1 as follows:

1101.1 Scope

1101.1.1 Refrigerants other than ammonia.

Refrigerant piping design and installation for systems containing a refrigerant other than ammonia, including pressure vessels and pressure relief devices, shall comply with this chapter and ASHRAE 15. Systems using A2L refrigerants shall comply with ASHRAE 15.

Item B – 6 Request from David Rittlinger representing NCDOI to adopt the 2024 edition of the North Carolina Residential Code, Chapter 44 Reference Standards as follows:

The 2024 NC Residential Code, Chapter 44 Reference Standards can be found at the following link on the NCDOI website. Select the link to “B-6 2024 NCRC Chapter 44”: <https://www.ncosfm.gov/news/events/building-code-council-meeting-september-12-2023>.

Item B – 7 Request from Julius Ballanco, P.E. representing JB Engineering and Code Consulting, P.C. to amend the 2024 NC Residential Code, Chapter 44 as follows:

ASHRAE	ASHRAE 180 Technology Parkway NW Peachtree Corners, GA 30092	
ASHRAE 34— 2019 <u>2022</u>	Designation and Safety Classification of Refrigerants	M1411.1
CSA	CSA Group 8501 East Pleasant Valley Road Cleveland, OH 44131-5516	
CAN/CSA/C22.2 No. 60335-2-40- 2012 <u>2022</u>	Safety of Household and Similar Electrical Appliances, Part 2-40: Particular Requirements for Electrical Heat Pumps, Air-Conditioners and Dehumidifiers	M1403.1

UL UL LLC
333 Pfingsten Road
Northbrook, IL 60062

UL/CSA/ANCE 60335-2-40—~~2012~~2022 Standard for Household and Similar Electrical Appliances, Part 2-40: Particular Requirements for ~~Motor compressors~~ Electrical Heat Pumps, Air-Conditioners and Dehumidifiers M1402.1, M1403.1

Item B – 8 Request from David Rittlinger representing NCDOI to amend the 2024 NC Administrative Code and Policies by adding Appendix H: “Affidavit of on-site wastewater existing system pursuant to N.C.G.S. 160D-1110(h1)” to comply with SL 2023-90 (H628) that was signed into law on 7/10/23 and becomes effective 10-1-23.

Item B – 9 Request from Larry Jones representing High Rock Lake Association to amend the 2018 NC Residential Code, Section R327 as follows:

SECTION R327 DOCKS, PIERS, BULKHEADS AND WATERWAY STRUCTURES

R327.1 General.

Docks, piers, bulkheads and waterway structures shall be constructed in accordance with Chapter 36 of the North Carolina Building Code.

Exceptions: Structures complying with the following are not required to meet the provisions of Chapter 36 of the North Carolina Building Code or of this code.

~~1. Docks and Piers built over private ponds.~~

~~2. Fixed in place walkways, docks, and piers not covered in Exception 1 and not exceeding 144 square feet for single family dwelling.~~

~~3. Minor repairs to existing docks, piers and waterway structures.~~

1. Fixed piers associated with a one- or two- family dwelling meeting all of the following:

1.1. A maximum of four boat slips for a single owner of a one- or two- family dwelling or two adjacent, riparian owners.

1.2. A maximum height of 15 feet (4572 mm) measured from deck to mud line at any location along the pier.

1.3. A maximum normal pool depth of 13 feet (3962 mm) on lakes and ponds and a maximum mean low water depth of 7 feet (2134 mm) in other locations.

1.4. A maximum walkway width of 6 feet (1829 mm).

1.5. A maximum pile spacing of 8 feet (2438 mm), in both directions.

1.6. A maximum of 576 sq. ft. (53.5 m²) for non-walkways areas.

1.7. A maximum boat slip length of 40 feet (12.2 m).

1.8. A maximum roofed area of 576 sq. ft. (53.5 m²) with an additional maximum 2 foot (610 mm) overhang.

1.9. Constructed with no enclosed or multilevel structures.

1.10. Supports a boatlift with a maximum design capacity no greater than 16,000 pounds (71.2 kN).

2. Floating docks associated with a one- or two- family dwelling meeting all of the following:

2.1. A maximum of four boat slips for a single owner of a one- or two-family dwelling or two adjacent, riparian owners.

2.2. A maximum normal pool depth of 20 feet (6096 mm) for docks with guide piles on lakes and ponds and a maximum mean low water of 10 feet (3048 mm) for docks with guide piles in other locations. 2.3. A maximum boat slip length of 40 feet (12.2 m).

2.4. Finger piers, crosswalks or other floating surfaces having a minimum width of 3 feet (914 mm) wide to a maximum of 6 feet (1829 mm) wide, except for a single 8 foot x 16 foot (2438 mm x 4877 mm) section. 2.5.

When constructed with a roof the following conditions exist:

i. Ultimate design wind speed is 115 mph (51 m/s) or less;

ii. Roof load is 20 psf (0.96 kPa) or less;

iii. A maximum eave height of 10 feet (3048 mm);

iv. A maximum roof slope of 4:12;

v. A maximum roofed area of 576 sq. ft. (53.5 m²) with an additional maximum 2 foot (610 mm) overhang;

vi. A minimum boat slip width of 12 feet (3658 mm);

vii. A minimum floating dock width of 4 feet (1219 mm) along both sides of the boat slip;

viii. A maximum dead load of 12 psf (0.57 kPa);

ix. Floating structures supporting roof structures are balanced or anchored to reduce the possibility of tipping.

2.6. Constructed with no enclosed or multilevel structures.

2.7. Supports a boat lift with a maximum design capacity no greater than 16,000 pounds (71.2 kN). 2018

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 will be held on September

12, 2023, and the Final Adoption meeting may take place on or after December 12, 2023. The written public comment period expires on October 16, 2023. All C items can be viewed and downloaded from:

<https://www.ncosfm.gov/news/events/building-code-council-meeting-june-13-2023>

On-site Sign-up Sheet: 3 minutes for public comments, 2 minutes for rebuttals.

- Item C – 1 Request from the BCC Mechanical Standing Committee to adopt the 2024 edition of the North Carolina Mechanical Code as presented by the committee (230613 Item B-1).**
- Item C – 2 Request from the BCC Mechanical Standing Committee to adopt the 2024 edition of the North Carolina Fuel Gas Code as presented by the committee (230613 Item B-2).**
- Item C – 3 Request from the BCC Electrical Ad-Hoc Committee to adopt the 2023 edition of the North Carolina Electrical Code as presented by the committee (230613 Item B-3 and B-3 Fiscal Note).**
- Item C – 4 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.**
- Update: Split into Item B-4A (Mechanical) and B-4B (Fuel Gas) at the 6/13/23 NCBCC Meeting. Prohibited from NCBCC permanent rule adoption by N.C.G.S Session Law 2023-108 on 8/16/23.
- Item C – 5 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.**
- Update: Prohibited from NCBCC permanent rule adoption by N.C.G.S Session Law 2023-108 on 8/16/23.
- Item C – 6 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.**

Update: Split into Item B-6A (Energy Efficiency), B-6B (Mechanical) and 6C (Fuel Gas) at the 6/13/23 NCBCC Meeting. Prohibited from NCBCC permanent rule adoption by N.C.G.S Session Law 2023-108 on 8/16/23.

Item C – 7 Request from Annette Powell representing herself to amend the 2024 NC Mechanical Code, Section 312.1 and the 2024 NC Residential Code, Section M1401.3 as follows (230613 Item B-7 as modified by the NCBCC on 6/13/23. See Meeting Minutes):

312.1 Load calculations. ...

...

For permitting, inspections, certificate of compliance or certificate of occupancy, load and sizing calculations submittals shall be required.

For permitting, inspections, certificate of compliance or certificate of occupancy, load and sizing calculation review shall not be required.

M1401.3 Equipment and appliance sizing. ...

...

For permitting, inspections, certificate of compliance or certificate of occupancy, Calculations for HVAC Systems-ACCA Manual D, ACCA Manual J, ACCA Manual S load and sizing calculation submittals shall be required.

For permitting, inspections, certificate of compliance or certificate of occupancy, Calculations for HVAC Systems-ACCA Manual D, ACCA Manual J, ACCA Manual S load and sizing calculation review shall not be required.

Item C – 8 Request from John Clark representing the Woodford Manufacturing Company to amend the 2024 NC Residential Code, Section P2903.10 as follows (230613 Item B-8):

P2903.10 Hose Bibb

~~Hose bibbs subject to freezing, including the “frostproof” type, shall be equipped with an accessible stop and waste type valve inside the building so that they can be controlled and drained during cold periods~~ comply with ASSE 1019.

Exception: ~~Frostproof hose bibbs installed such that the stem extends through the building insulation into an open heated or semiconditioned space need not be separately valved (see Figure P2903.10). Stop and waste systems that utilize ASSE 1011 devices may not be used as the vacuum breaker does not automatically drain and is subject to freezing.~~ Frostproof hose bibbs installed such that the stem extends through the building insulation into an open heated or semiconditioned space need not be separately valved (see Figure P2903.10). Stop and waste systems that utilize ASSE 1011 devices may not be used as the vacuum breaker does not automatically drain and is subject to freezing.

Exception: ASSE 1011 equipped hose bibbs may be used in heated spaces where not exposed to freezing temperatures.

Item C – 9 Request from Jason Shepherd to amend the 2024 NC Building Code, Section 907.2.3.1 and the 2024 NC Fire Code, Section 907.2.3.1 as follows (230613 Item B-10 as modified by the NCBCC on 6/13/23. See Meeting Minutes):

2024 NC Building Code

907.2.3.1 Automatic smoke detection systems.

An automatic smoke detection system that initiates the occupant notification in accordance with Section 907.5.2.2 shall be installed throughout all stories of Group E buildings.

Exceptions:

1. An automatic smoke detection system shall not be required in Group E occupancies with an *occupant load* of 50 or less.
2. An automatic smoke detection system shall not be required in Group E occupancies that are protected with an *approved automatic sprinkler systems* installed in accordance with Section 903.3.1.1.
3. An automatic smoke detection system shall not be required in licensed day care facilities complying with Section 431.

2024 NC Fire Code

907.2.3.1 Automatic smoke detection systems.

An automatic smoke detection system that initiates the occupant notification in accordance with Section 907.5.2.2 shall be installed throughout all stories of Group E buildings.

Exceptions:

1. An automatic smoke detection system shall not be required in Group E occupancies with an *occupant load* of 50 or less.
2. An automatic smoke detection system shall not be required in Group E occupancies that are protected with an *approved automatic sprinkler systems* installed in accordance with Section 903.3.1.1.
3. An automatic smoke detection system shall not be required in licensed day care facilities complying with Section 431 of the *International Building Code*.

Item C - 10 Request from the Fire Code Revision Committee to amend the 2024 NC Building Code and 2024 NC Fire Code, Sections 1010.2.14, 1010.2.14.4 and 1010.2.1 as follows (230613 Item B-11):

1010.2.14 Controlled egress doors in Groups I-1, I-2, and R-4, and E.

1010.2.14.4 Group E Classrooms. Electric locking systems, including electro-mechanical locking systems and electromagnetic locking systems, shall be permitted to be installed on exit or exit access doors leading from Group E classrooms and day care classrooms within a Group E occupancy where identified and documented by the local school administration as having one or more students that require restraint to preserve the safety of the student or students and meeting all of the following:

1. The building is equipped with a *fire alarm system* in accordance with Section 907.2.3 (Section 907.2.3, Exception 1 is not applicable).
2. The door locks shall unlock on actuation of the *fire alarm system* and remain unlocked until the *fire alarm system* has been reset.
3. The door locks shall unlock on loss of power controlling the lock or lock mechanism.
4. A building occupant shall not be required to pass through more than one door equipped with a controlled egress locking system before entering an exit.
5. The procedures for unlocking the doors shall be described and approved as part of the emergency planning and preparedness required by Chapter 4 of the *International Fire Code*.
6. Staff within the rooms equipped with controlled egress shall have the keys, codes or other means necessary to operate the locking systems.
7. When operated, the locking system shall remain unlocked for not less than 30 seconds.
8. Emergency lighting shall be provided at the door.
9. The door locking system units shall be listed in accordance with UL 294.

1010.2.1 Unlatching. The unlatching of any door or leaf for egress shall require not more than one motion in a single linear or rotational direction to release all latching and all locking devices.

Exceptions:

1. Places of detention or restraint.
2. Where manually operated bolt locks are permitted by Section 1010.2.5.
3. Doors with automatic flush bolts as permitted by Section 1010.2.4, Item 4.

4. Doors from individual *dwelling units* and *sleeping units* of Group R occupancies as permitted by Section 1010.2.4, Item 5.
5. ~~Group E classrooms identified by the local school administration as having one or more students that require restraint to preserve the safety of the student or students shall be permitted to have latching devices that require a maximum of two motions to unlatch the door from the egress side.~~

Item C – 11 Request from Jason Shepherd representing the Durham County Fire Marshal to amend the 2024 NC Fire Code, Section 105.5.32 as follows (230613 Item B-12):

105.5.32 Mobile food preparation vehicles. (optional permit). An operational permit is required for *mobile food preparation vehicles* equipped with appliances that produce smoke or grease-laden vapors. Permits shall originate from the commissary address where the mobile food preparation vehicle is associated.

Item C – 12 Request from Jason Shepherd representing the Durham County Fire Marshal to amend the 2024 NC Fire Code, Sections 319.11.1 and 319.11.13 as follows (230613 Item B-13):

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 319.11.1.23.

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.*

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 June 13, 2023. The Final Adoption meeting will take place on September 12, 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, 2025 *unless otherwise noted.*

Update: **Item D-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)** was moved to the December

12, 2023 NCBCC public hearing for final adoption per the June 13, 2023 NCBCC public meeting. A special public hearing to consider this petition along with the fiscal note and cost benefit analysis is scheduled for October 17, 2023. See the links below for all relevant information:

<https://www.ncosfm.gov/news/events/building-code-council-meeting-october-17-2023>

<https://www.ncosfm.gov/231017-notice1hearing>

<https://www.ncosfm.gov/news/events/building-code-council-meeting-december-13-2022>

<https://www.ncosfm.gov/b-6-2024-ncecc-1>

<https://www.ncosfm.gov/b-6-2024-ncecc-fiscal-note>

<https://www.ncosfm.gov/b-6-2024-ncecc-cost-analysis>

All D items can be viewed and downloaded from:

<https://www.ncosfm.gov/news/events/building-code-council-meeting-march-14-2023>.

Item D – 1 Request from the NC Building Code Council Mechanical Standing Committee to adopt the 2024 edition of the North Carolina Plumbing Code as presented by the committee as follows (230314 Item B-1):

The proposed amendments to the 2021 International Plumbing Code to establish the 2024 NC Plumbing Code can be found at the following link on the NCDOT website. Select the link to “B-1 2024 NCPC”:

<https://www.ncosfm.gov/news/events/building-code-council-meeting-march-14-2023>.

The 2021 International Plumbing Code can be found at the following link on the ICC website:

<https://codes.iccsafe.org/content/IPC2021P3>

Item D – 2 Request from the NC Building Code Council 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 as follows (230314 Item B-4):

The proposed amendments to the 2021 International Residential Code, Chapters 1-10, 25-33, 45, 46 and Appendices to establish the 2024 NC Residential Code, Chapters 1-10, 25-33, 45, 46 and Appendices can be

found at the following link on the NCDOI website. Select the link to “B-4 2024 NCRC Chapters 1-10 and 25-33 and 45-46 and Appendices”:
<https://www.ncosfm.gov/news/events/building-code-council-meeting-march-14-2023>.

The 2021 International Residential Code, Chapters 1-10, 25-33, 45, 46 and Appendices can be found at the following link on the ICC website:
<https://codes.iccsafe.org/content/IRC2021P2>.

Item D – 3 Request from Carl Martin representing NCDOI to amend the 2024 NC Building Code, Section 101.2 as follows (230314 Item B-8):

[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*.
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).

Item D – 4 Request from Carl Martin representing NCDOT to amend the 2024 NC Fire Code, Section 102.13 as follows (230314 Item B-9 as modified by the NCBC 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).

Item D – 5 Request from Carl Martin representing NCDOT to amend the 2024 NC Existing Building Code, Section 101.2 as follows (230314 Item B-10):

[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.*

Exceptions:

1. Detached on- 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.

Item D – 6 Request from Carl Martin representing NCDOI to amend the 2024 NC Energy Conservation Code, Section C101.2 and R101.2 as follows (230314 Item B-11):

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).

Item D – 7 Request from Carl Martin to amend the 2024 NC Existing Building Code, Section 803.2.1.2 as follows (230314 Item B-12):

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.

Item D – 8 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 (230314 Item B-13):

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.)

Item D – 9 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 (230314 Item B-14):

Update: This proposed permanent rule change is in conflict with N.C.G.S Session Law 2023-108 which became law on 8/16/23. The 2024 NC Administrative Code and Policies requires the adoption of new permanent rules to comply with the aforementioned new law.

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.

Item D – 10 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 (230314 Item B-15):

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

Part E – Reports

- ❖ **Ad-Hoc Committee Reports**
- ❖ **Standing Committee Reports**
- ❖ **Staff Reports**
- ❖ **Chairman's Report**

Part F – Appeals

Rowan-Cabarrus Community College appeal is scheduled to be held on October 25, 2023 at 9:00 a.m. at the Albemarle Building (325 N. Salisbury St, Raleigh NC) in room 245.

Sincerely,



David Bruce Rittlinger, PE. (Interim) Secretary,
NC Building Code Council