



# North Carolina Building Code Council

Staffed by the NC Department of Insurance

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## Building Code Council

### Chair:

Bridget Herring - 29  
(Public Representative)

### Vice Chairman:

Mark Matheny - 27  
(Building Inspector)

### Members:

Michael Ali, PE - 29  
(State Agency)

Robert Axford - 25  
(Electrical Contractor)

Chris Berg, PE - 27  
(Structural Engineer)

Andrew C. Cole, AIA - 28  
(Architect)

Ralph Euchner - 25  
(Gas Industry)

David Gieser, RA - 28  
(Architect)

Jeff Hilton - 28  
(Coastal Contractor)

Robert Howard - 29  
(Home Builder)

Taiwo Jaiyeoba - 28  
(Municipal Government Rep)

Natalie MacDonald, PE - 27  
(Mechanical Engineer)

Gloria Shealey - 27  
(General Contractor)

Deborah Shearin - 25  
(Plumbing & Heating Contractor)

Jason B. Shepherd - 27  
(Fire Services)

Kim Wooten, PE - 25  
(Electrical Engineer)

Robert Zapple - 28  
(County Gov't Rep)

## Minutes of the North Carolina Building Code Council December 19, 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, March 19, 2024** at 325 Salisbury Street, Raleigh, NC in Room 245.

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 Kim Wooten and Taiwo Jaiyeoba. The following members attended virtually: Mark Matheny, Ralph Euchner, David Gieser, Jeff Hilton, Robert Howard, Gloria Shealey, Jason Shepherd and Rob Zapple.

Consistent with Rules 4:56 and 44:12 of Robert's Rules of Order (12<sup>th</sup> 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.

## **Part A – Administrative Items**

During the Welcome and announcements, Council Chair Herring reminded everyone that this is a special meeting, and they would not be approving meeting minutes, hearing public comments, or voting on any final adoption.

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

Jason Shepherd recused himself from items B-8, B-10, and B-11.

There were no other actual or potential conflicts of interest noted.

### **Item A – 2 Rules Review Commission Meeting Report**

Assistant Attorney General Nathan Childs addressed the Council regarding the objections recently raised by the Rules and Review Commission. He explained the reason for this special meeting is to keep the updated 2024 NC Codes moving forward through the RRC approval process by having a back-up plan should the RRC deny the petitions currently before them. B-4, B-16 and B-22 are based on recently enacted legislation.

### **Item A – 3 Public Comments**

There were no 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 the March 18, 2024 meeting with final adoption during the March 19, 2024 meeting.

All B items can be viewed and downloaded from:

<https://www.ncosfm.gov/news/events/building-code-council-special-meeting-december-19-2023>

**There will be no B items received from the floor.**

### **Item B – 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.**

**Commercial Super Committee: Motion to accept made by N. MacDonald. Second made by C. Berg.**

**Motion unanimously granted to continue rule-making proceedings.**

**Residential Super Committee: Motion to accept made by D. Shearin. Second made by R. Axford.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by M. Ali. Second made by N. MacDonald.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 2 Request from David Rittlinger representing staff to amend the 2024 NC Administrative Code, Section Appendix B as follows:**

**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 #	TELEPHON E #	E-MAIL
Architectural	_____	_____	_____	( ) _____	_____
<u>Registered Interior Designer</u>	_____	_____	_____	( ) _____	_____
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.)

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....

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

**Commercial Super Committee: Motion to accept made by C. Berg. Second made by N. MacDonald.  
Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by M. Ali. Second made by C. Berg.  
Motion granted to continue rule-making proceedings.**

**Item B – 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.**

**Commercial Super Committee: Motion to accept made by N. MacDonald. Second made by C. Berg.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by M. Ali. Second made by A. Cole. Motion unanimously granted to continue rule-making proceedings.**

**Item B – 4 Request from David Rittlinger representing staff to amend the 2024 NC Building Code, Section 101.2 Scope by adding Exceptions #7 and #8 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:

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

....

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

8. Buildings used for temporary motion picture, television, and theater stage sets and scenery are exempt from use and occupancy classification under the *North Carolina State Building Code* by N.C.G.S 143-138(b20).

....

**Commercial Super Committee: Motion to accept made by C. Berg. Second made by N. MacDonald.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by D. Shearin. Second made by R. Axford.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 5 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.**

**Commercial Super Committee: Motion to accept made by N. MacDonald. Second made by C. Berg.  
Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by M. Ali. Second made by D. Shearin.  
Motion unanimously granted to continue rule-making proceedings.**

**Item B – 6 Request from David Rittlinger representing staff to amend the 2024 NC Fire Code, Section 102.13 Exception to applicability as follows by adding #7:**

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

....

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

....

**Commercial Super Committee: Motion to accept made by N. MacDonald. Second made by C. Berg.  
Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by D. Gieser. Second made by A. Cole.  
Motion unanimously granted to continue rule-making proceedings.**

**Item B – 7 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 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:

....

**Commercial Super Committee: Motion to accept made by C. Berg. Second made by N. MacDonald.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by A. Cole. Second made by R. Axford.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 8 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:**

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 *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 *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*.

Jason Shepherd recused himself and abstained from voting.

**Commercial Super Committee: Motion to accept made by N. MacDonald. Second made by C. Berg.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by D. Shearin. Second made by C. Berg.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B - 9 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:**

2024 NC Building Code

**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.~~

2024 NC Fire Code

**[BE] 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.

....

**[BE] 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.~~

**Commercial Super Committee: Motion to accept made by C. Berg. Second made by N. MacDonald.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by M. Ali. Second made by A. Cole. Motion unanimously granted to continue rule-making proceedings.**

**Item B – 10 Request from Jason Shepherd representing the Durham County Fire Marshal to amend the 2024 NC Fire Code, Section 105.5.32 as follows:**

**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.

Jason Shepherd recused himself and abstained from voting.

**Commercial Super Committee: Motion to accept made by D. Gieser. Second made by N. MacDonald.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by A. Cole. Second made by D. Shearin.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 11 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:**

**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 ~~319.11.1.2~~319.11.1.3.*

....

**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.

Jason Shepherd recused himself and abstained from voting.

**Commercial Super Committee: Motion to accept made by N. MacDonald. Second made by C. Berg.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by A. Cole. Second made by R. Axford.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 12 Request from the BCC Existing Building Code Standing Committee to adopt the 2024 edition of the North Carolina Existing Building Code as presented by the committee.**

**Commercial Super Committee: Motion to accept made by C. Berg. Second made by N. MacDonald.**

**Motion unanimously granted to continue rule-making proceedings.**

**Residential Super Committee: Motion to accept made by D. Shearin. Second made by R. Axford.**

**Motion unanimously granted to continue rule-making proceedings.**

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

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 13 Request from David Rittlinger representing staff to amend the 2024 NC Existing Building Code, Section 101.2 Scope as follows by adding Exception #2:**

**[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*.

~~Exception:~~ **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 in compliance with North Carolina State Building Codes.

**Commercial Super Committee: Motion to accept made by N. MacDonald. Second made by C. Berg.**

**Motion unanimously granted to continue rule-making proceedings.**

**Residential Super Committee: Motion to accept made by J. Hilton. Second made by R. Axford.**

**Motion unanimously granted to continue rule-making proceedings.**

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

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 14 Request from David Rittlinger of staff 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.

**Commercial Super Committee: Motion to accept made by N. MacDonald. Second made by C. Berg.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by A. Cole. Second made by M. Matheny.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 15 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.**

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

**Motion unanimously granted to continue rule-making proceedings.**

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

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 16 Request from David Rittlinger of staff to amend the 2024 NC Plumbing Code, Sections 702.1, 702.4, 1102.2 and 1102.7 as follows:**

**702.1 Above-ground sanitary drainage and vent pipe.** Above-ground soil, waste and vent pipe shall conform to one of the standards listed in Table 702.1. Pipe fittings shall not be solvent cemented inside of plastic pipe.

**Exception:** Plastic pipe with an inside diameter of 2 inches (51 mm) and larger shall not be used for storm drainage drain, waste and vent conductors in buildings in which the top occupied floor exceeds 75 feet (23m) in height as per General Assembly of North Carolina Session Law 2023-137, Section 36.

....

**702.4 Fittings.** Pipe fittings shall be *approved* for installation with the piping material installed and shall comply with the applicable standards listed in Table 702.4. Pipe fittings shall not be solvent cemented inside of plastic pipe.

**Exception:** Plastic pipe fittings and plastic plumbing appurtenances with an inside diameter of 2 inches (51 mm) and larger shall not be used for drain, waste and vent conductors in buildings in which the top occupied floor exceeds 75 feet (23 m) in height as per General Assembly of North Carolina Session Law 2023-137, Section 36.

....

**1102.2 Inside storm drainage conductors.** Inside storm drainage conductors installed above ground shall conform to one of the standards listed in Table 702.1.

**Exception:** Plastic pipe with an inside diameter of 2 inches and larger shall not be used for storm drainage conductors in buildings in which the top occupied floor exceeds 75 feet (23m) in height as per General Assembly of North Carolina Session Law 2023-137, Section 36.

....

**1102.7 Fittings.** Pipe fittings shall be *approved* for installation with the piping material installed, and shall conform to the respective pipe standards or one of the standards listed in Table 1102.7. The fittings shall not have ledges, shoulders or reductions capable of retarding or obstructing flow in the piping. Threaded drainage pipe fittings shall be of the recessed drainage type.

**Exception:** Plastic pipe fittings and plastic plumbing appurtenances with an inside diameter of 2 inches and larger shall not be used for storm drainage conductors in buildings in

which the top occupied floor exceeds 75 feet (23m) in height as per General Assembly of North Carolina Session Law 2023-137, Section 36.

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

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by M. Matheny. Second made by M. Ali.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 17 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.**

**Residential Super Committee: Motion to accept made by D. Shearin. Second made by R. Axford.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by N. MacDonald. Second made by J. Hilton.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 18 Request from the NC Building Code Council Mechanical Standing Committee to adopt the 2024 edition of the North Carolina Mechanical Code as presented by the committee.**

**Commercial Super Committee: Motion to accept made by N. MacDonald. Second made by C. Berg.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by A. Cole. Second made by N. MacDonald.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 19 Request from the NC Building Code Council Mechanical Standing Committee to adopt the 2024 edition of the North Carolina Fuel Gas Code as presented by the committee.**

**Commercial Super Committee: Motion to accept made by D. Gieser. Second made by N. MacDonald.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by C. Berg. Second made by D. Shearin.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 20 Request from the BCC Electrical Ad-Hoc Committee to adopt the 2023 edition of the North Carolina Electrical Code as presented by the committee.**

**Commercial Super Committee: Motion to accept made by M. Matheny. Second made by N. MacDonald.**

**Motion unanimously granted to continue rule-making proceedings.**

**Residential Super Committee: Motion to accept made by R. Axford. Second made by D. Shearin.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by M. Ali. Second made by N. MacDonald.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 21 Request from the NC Building Code Council Energy Standing Committee to adopt the 2024 edition of the North Carolina Energy Conservation Code as presented by the committee.**

**Commercial Super Committee: Motion to accept made by N. MacDonald. Second made by C. Berg.**

**Motion unanimously granted to continue rule-making proceedings.**

**Residential Super Committee: Motion to accept made by D. Shearin. Second made by J. Hilton.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by A. Cole. Second made by C. Berg.**

**Motion unanimously granted to continue rule-making proceedings.**

**Item B – 22 Request from David Rittlinger representing staff to amend the 2024 NC Energy Conservation Code, Sections C101.2 and R101.2 as follows:**



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

**Exceptions:**

1. Farm structures exempt by N.C.G.S. 143-138(b4).
2. Per N.C.G.S. 143-138 (b18), no energy conservation code provisions shall apply to any structure for which the primary occupancy classification is Group F, S, or U pursuant to Chapter 3 of the 2024 North Carolina Building Code. This exclusion shall apply to the entire building area.

....

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

**Exceptions:**

1. Farm structures exempt by N.C.G.S. 143-138(b4).
2. In accordance with N.C.G.S. 143-138 (b19), no energy conservation code provisions will apply to detached and attached garages located on the same lot as a *dwelling*.

**Commercial Super Committee: Motion to accept made by N. MacDonald.**

**Second made by C. Berg.**

**Motion unanimously granted to continue rule-making proceedings.**

**Residential Super Committee: Motion to accept made by D. Shearin. Second made by J. Hilton.**

**Motion unanimously granted to continue rule-making proceedings.**

**Building Code Council: Motion to accept made by A. Cole. Second made by D. Shearin.**

**Motion unanimously granted to continue rule-making proceedings.**

**Part C – Notice of Rulemaking Proceedings and Public Hearing**

None at this special meeting.

**Part D – Final Adoption**

None at this special meeting.

**Part E – Reports**

❖ **Ad-Hoc Committee Reports**

❖ **Standing Committee Reports**

### ❖ **Staff Reports**

David Rittlinger, OSFM staff, is currently working with the Council and various committees and OSFM staff on additional code revisions as it relates to that recently passed legislation as well as where statutory references will make use of the codes easier for the public.

OSFM staff is moving forward with the Rules Review Commission petitions as per their requested additional information. Staff has put in a lot of hours to make sure the petitions are in the proper format that we are instructed to follow as it relates to the Administrative Procedures Act.

David wished the Council Happy Holidays and OSFM staff is looking forward to working together in 2024.

### ❖ **Chairman's Report**

Chair Herring stated she will be working with OSFM staff to address any additional legislative changes as required.

The Public comments period will be amended for the items that were brought to the Council and approved today. These items are open for public comments from January 16, 2024 through March 18, 2024 as per David Rittlinger of OSFM staff.

All the B items granted to continue rule-making proceedings at the December 12, 2023 and December 19, 2023 meetings will be C items at the March 18, 2024 public hearing and D items at the March 19, 2024 meeting.

### **Part F – Appeals**

The location for the Rowan-Cabarrus Community College appeal that is scheduled to be held on January 24, 2024 at 9:00 a.m. will now be held at the Albemarle building 325 N. Salisbury Street, Raleigh. This was previously to be held at the new headquarters of the North Carolina Department of Insurance at 3200 Beechleaf Court, Raleigh NC.

**Adjourned.**