

Minutes of the North Carolina Building Code Council
December 10, 2013
Raleigh, NC

All members of the North Carolina Building Code Council were present for the Council Meeting with the exception of Paula Strickland and Lon McSwain.

The following are summary minutes. The official minutes of this meeting are recorded on CD. Anyone desiring verbatim CDs or excerpts from these CDs should contact the Engineering Division of the NC Department of Insurance for information and reproduction costs. The next scheduled NC Building Code Council meeting will be held **Tuesday, March 11, 2014**. The location will be announced 30 days before the meeting.

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 September 10, 2013 NC Building Code Council Meeting.

A **motion** to accept the September 10th meeting minutes with an amendment to page 23, was made, **seconded**, and **approved**.

Item A – 3 Notice of Reappointment of Ralph Euchner and Paula Strickland and Notice of Appointment of Robbie Davis, Tim Fowler, Frank Meads, and Wade White to the NC Building Code Council, from the Office of the Governor, Boards and Commissions.

The new Building Code Council members were introduced and sworn in by staff.

Item A – 4 Town of Morrisville Fire Code Ordinance (Tabled to March meeting)

Proposed ordinance was tabled until the March meeting to allow time for review.

Item A – 5 Town of Apex Fire Code Ordinance (Tabled to March meeting)

Proposed ordinance was tabled until the March meeting to allow time for review.

Item A – 6 Rules Review Commission Meeting Report

Barry Gupton reported that the September D-Items were approved by the RRC. H74 includes a requirement that all agencies, including the BCC, review existing rules within the next five years. RRC staff will set the review schedule. No action is needed at this time.

Item A – 7 Public Comments

There were none.

Part B – New Petitions 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 March 2014 meeting.

Item B – 1 Request by Apartment Association of North Carolina, to amend the 2012 NC Building Code, Section 901.6.1. The proposed amendment is as follows:

901.6.1 Automatic sprinkler systems. Automatic sprinkler systems shall be monitored by an *approved* supervising station.

Exceptions:

1. A supervising station is not required for *automatic sprinkler systems* protecting one- and two-family dwellings.
2. Limited area systems serving fewer than 20 sprinklers.
3. A group R-2 building less than 4-stories in height sprinklered in accordance with NFPA 13R where sprinklers are provided for porches, balconies, corridors and stairs that are open and attached and installed in accordance with Section 903.4. At a minimum an approved audible alarm device shall be provided on every sprinklered R-2 building in accordance with Section 903.4.2 of the NC Fire Code. No on-site supervision is required at a constantly attended location.

Motion – Alan Perdue/**Second** – Scott Stevens/**Approved** – The request was granted and sent to the Building/Fire Committee for review.

Item B – 2 Request by Apartment Association of North Carolina, to amend the 2012 NC Building Code, Section 2902.1.1. The proposed amendment is as follows:

2902.1.1 Fixture calculations. To determine the *occupant load* of each sex, the total *occupant load* shall be divided in half. To determine the required number of fixtures, the fixture ratio or ratios for each fixture type shall be applied to the *occupant load* of each sex in accordance with Table 2902.1. Fractional numbers resulting from applying the fixture ratios of Table 2902.1 shall be rounded up to the next whole number. For calculations involving multiple occupancies, such fractional numbers for each occupancy shall first be summed and then rounded up to the next whole number.

Exceptions:

1. The total *occupant load* shall not be required to be divided in half where *approved* statistical data indicate a distribution of the sexes of other than 50 percent of each sex.
2. In buildings that contain dwellings or sleeping units that have a pool dedicated to the residents, a percentage reduction of the total required fixtures provided for a pool & pool deck without bleachers and grandstands may be taken equal to the percentage of total residential units whose entries fall within 500 feet walking distance of the pool deck.

Motion – Al Bass/**Second** – Cindy Register/**Approved** – The request was granted and sent to the Building/Plumbing Committee for review.

Item B – 3 Request by Apartment Association of North Carolina, to amend the 2012 NC Plumbing Code, Section 403.1.1. The proposed amendment is as follows:

403.1.1 Fixture calculations. To determine the occupant load of each sex, the total occupant load shall be divided in half. To determine the required number of fixtures, the fixture ratio or ratios for each fixture type shall be applied to the occupant load of each sex in accordance with Table 403.1. Fractional numbers resulting from applying the fixture ratios of Table 403.1 shall be rounded up to the next whole number. For calculations involving multiple *occupancies*, such fractional numbers for each *occupancy* shall first be summed and then rounded up to the next whole number.

Exceptions:

1. The total occupant load shall not be required to be divided in half where *approved* statistical data indicates a distribution of the sexes of other than 50 percent of each sex.
2. In buildings that contain dwellings or sleeping units that have a pool dedicated to the residents, a percentage reduction of the total required fixtures provided for a pool & pool deck without bleachers and grandstands may be taken equal to the percentage of total residential units whose entries fall within 500 feet walking distance of the pool deck.

Motion – Al Bass/**Second** – Cindy Register/**Approved** – The request was granted and sent to the Building/Plumbing Committee for review.

Item B – 4 Request by Robert Hall, representing Viega, LLC, to amend the 2012 NC Fuel Gas Code, Section 403.10.1. The proposed amendment is as follows:

403.10.1 Pipe joints. Pipe joints shall be threaded, flanged, brazed, ~~or~~ welded, or made with press-connect fittings complying with ANSI LC-4. Where nonferrous pipe is brazed, the brazing materials shall have a melting point in excess of 1,000°F (538°C). Brazing alloys shall not contain more than 0.05-percent phosphorous.

Motion – Alan Perdue/**Second** – Leah Faile/**Approved** – The request was granted and sent to the Mechanical Committee for review.

Item B – 5 Request by Randall Shackelford, representing Simpson Strong-Tie Co., to amend the 2012 NC Residential Code, Appendix M, Section AM104. The proposed amendment is as follows:

**SECTION AM104
DECK ATTACHMENT**

AM104.1 Deck attachment to wood. When a deck is supported at the structure by attaching the deck ledger to the wood band of the structure, ~~the following attachment schedules shall apply for attaching the deck band~~ ledger shall be attached to the structure in accordance with either Section AM104.1.1 or Section AM104.1.2.

AM104.1.1 Attachment to wood. When the deck is attached to a wood band joist, fastening shall be in accordance with Table AM104.1.1.

TABLE AM104.1.1 All structures except brick veneer structures LEDGER ATTACHMENT TO WOOD

AM104.1.1 All structures except brick veneer structures.

FASTENERS	8' MAX JOIST SPAN ^a	16' MAX JOIST SPAN ^a
5/8" Hot dipped galv. bolts with nut and washer ^b	1 @ 3'-6" o.c.	1 @ 1'-8" o.c.
and	and	and
12d Common hot dipped galv. nails ^c	2 @ 8" o.c.	3 @ 6" o.c.

- a. Attachment interpolation between 8 foot and 16 foot joists span is allowed.
- b. Minimum edge distance for bolts is 2 1/2 inches.
- c. Nails must penetrate the supporting structure band a minimum of 1 1/2 inches.

AM104.1.2 Alternate deck ledger attachment to band joist. For decks supporting a total design load of 50 pounds per square foot [40 pounds per square foot live load plus 10 pounds per square foot dead load], the connection between a deck ledger of pressure-preservative-treated Southern Pine, incised pressure-preservative-treated Hem-Fir or approved decay-resistant species, and a 2-inch nominal lumber band joist bearing on a sill plate or wall plate shall be constructed with 1/2-inch lag screws or bolts with washers in accordance with Table AM104.1.2(1). Lag screws, bolts and washers shall be hot-dipped galvanized or stainless steel. The lag screws or bolts in deck ledgers and band joists shall be placed in accordance with Table AM104.1.2(2) and Figures AM104.1.2(1) and AM104.1.2(2).

TABLE AM104.1.2(1)

FASTENER SPACING FOR A SOUTHERN PINE OR HEM-FIR DECK LEDGER AND A 2-INCH-NOMINAL SOLID-SAWN SPRUCE-PINE-FIR BAND JOIST^{c, f, g}
(Deck live load = 40 psf, deck dead load = 10 psf)

JOIST SPAN	6' and less	6'1" to 8'	8'1" to 10'	10'1" to 12'	12'1" to 14'	14'1" to 16'	16'1" to 18'
Connection details	On-center spacing of fasteners ^{d, e}						
1/2 inch diameter lag screw with 15/32 inch maximum sheathing ^a	30	23	18	15	13	11	10
1/2 inch diameter bolt with 15/32 inch maximum sheathing	36	36	34	29	24	21	19
1/2 inch diameter bolt with 15/32 inch maximum sheathing and 1/2 inch stacked washers ^{b, h}	36	36	29	24	21	18	16

- a. The tip of the lag screw shall fully extend beyond the inside face of the band joist.
- b. The maximum gap between the face of the ledger board and face of the wall sheathing shall be 1/2 inch.
- c. Ledgers shall be flashed to prevent water from contacting the house band joist.
- d. Lag screws and bolts shall be staggered in accordance with Section R507.2.1.
- e. Deck ledger shall be minimum 2 x 8 pressure-preservative-treated No. 2 grade lumber, or other approved materials as established by standard engineering practice.
- f. When solid-sawn pressure-preservative-treated deck ledgers are attached to a minimum 1-inch-thick engineered wood product (structural composite lumber, laminated veneer lumber or wood structural panel band joist), the ledger attachment shall be designed in accordance with accepted engineering practice.
- g. A minimum 1 x 9 1/2 Douglas Fir laminated veneer lumber rimboard shall be permitted in lieu of the 2-inch nominal band joist.
- h. Wood structural panel sheathing, gypsum board sheathing or foam sheathing not exceeding 1 inch in thickness shall be permitted. Washers are permitted to be used only with wood structural panel sheathing. The maximum distance between the face of the ledger board and the face of the band joist shall be 1 inch.

TABLE AM104.1.2(2)

PLACEMENT OF LAG SCREWS AND BOLTS IN DECK LEDGERS AND BAND JOISTS

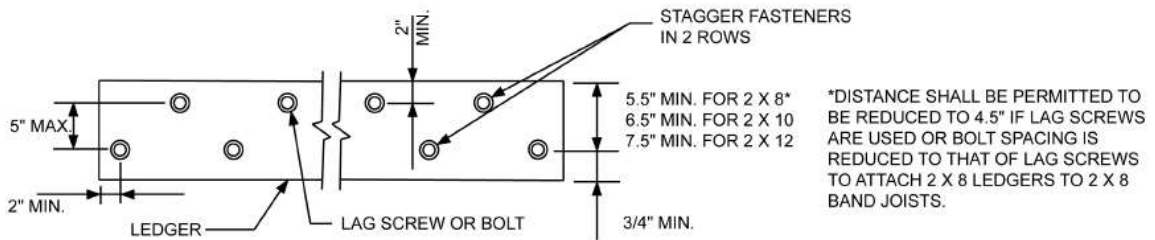
MINIMUM END AND EDGE DISTANCES AND SPACING BETWEEN ROWS				
	TOP EDGE	BOTTOM EDGE	ENDS	ROW SPACING
Ledger ^a	2 inches ^d	1/4 inch	2 inches ^b	1 5/8 inches ^b
Band Joist ^c	3/4 inch	2 inches	2 inches ^b	1 5/8 inches ^b

a. Lag screws or bolts shall be staggered from the top to the bottom along the horizontal run of the deck ledger in accordance with Figure AM104.1.2(1).

b. Maximum 5 inches.

c. For engineered rim joists, the manufacturer's recommendations shall govern.

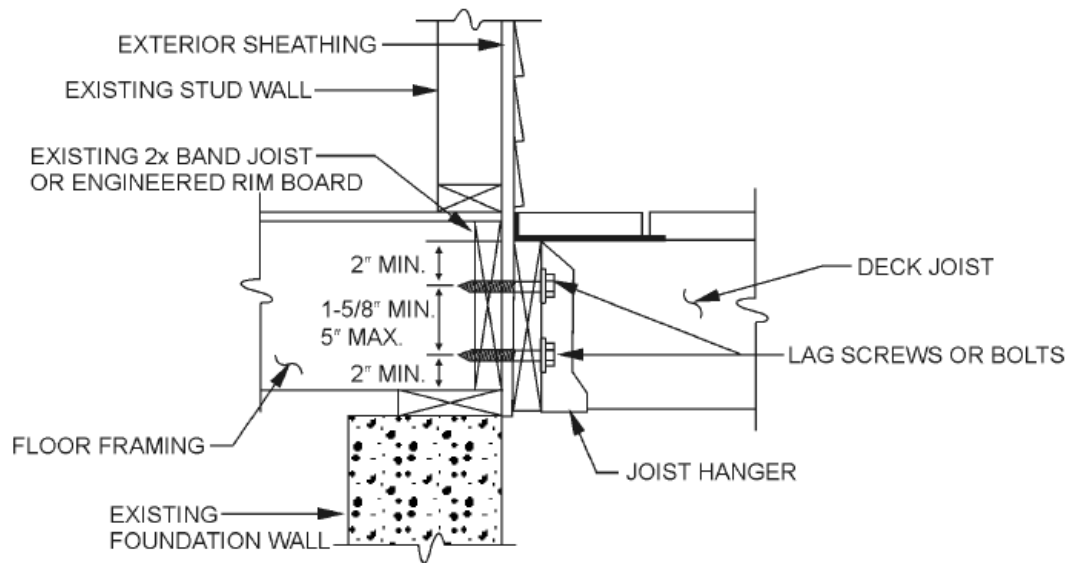
d. The minimum distance from bottom row of lag screws or bolts to the top edge of the ledger shall be in accordance with Figure AM104.1.2(1).



For SI: 1 inch = 25.4 mm.

FIGURE AM104.1.2(1)

PLACEMENT OF LAG SCREWS AND BOLTS IN LEDGERS



For SI: 1 inch = 25.4 mm.

FIGURE AM104.1.2(2)

PLACEMENT OF LAG SCREWS AND BOLTS IN BAND JOISTS

AM104.2 Deck attachment to brick veneer. When a deck is supported at the structure by attaching the wood ledger to brick veneer, fastening shall be as specified in Table AM104.2.

TABLE AM104.1.2 BRICK VENEER STRUCTURES

FASTENERS	8' MAX JOIST SPAN ^a	16' MAX JOIST SPAN ^a
5/8" Hot dipped galv. bolts with nut and washer ^b	1 @ 2'-4" o.c.	1 @ 1'-4" o.c.

- a. Attachment interpolation between 8 foot and 16 foot joist span is allowed.
- b. Minimum edge distance for bolts is 2 1/2 inches.

AM104.1.3 Masonry ledge support. If the deck band is supported by a minimum of 1/2 inch masonry ledge along the foundation wall, 5/8 inch hot dipped galvanized bolts with washers spaced at 48 inches o.c. may be used for support.

AM104.1.4 Other means of support. Joist hangers or other means of attachment may be connected to house band and shall be properly flashed

Motion – David Smith/**Second** – Steve Knight/**Approved** – The request was granted and sent to the Residential Committee for review.

Item B – 6 Request by Robert Privott, representing NCHBA, to amend the 2012 NC Mechanical Code/Abridged Residential Code Edition, Section 505.2. The proposed amendment is as follows:

505.2 Makeup air required. Exhaust hood systems capable of exhausting in excess of 400 cubic feet per minute (0.19 m³/s) shall be provided with makeup air at a rate approximately equal to the exhaust air rate that is in excess of 400 cubic feet per minute (0.19 m³/s). Such makeup air systems shall be equipped with a means of closure and shall be automatically controlled to start and operate simultaneously with the exhaust system.

Exception: Where all appliances in the house are direct-vent, power-vent, unvented, or electric, makeup air shall be provided where exhaust fans are capable of exhausting more than 600 cubic feet per minute (0.28 m³/s). Exhaust hood systems capable of exhausting more than 600 cubic feet per minute shall be provided with makeup air at a rate approximately equal to the exhaust air rate that is in excess of 600 cubic feet per minute.

Motion/Second/Approved – The request was granted and sent to the Mechanical Committee for review.

Item B – 7 Request by Marvin Strzyzewski, representing MiTek USA, Inc./Truss Engineering Company, to amend the 2012 NC Residential Code, Section R4605.5 and Table R4605.5. The proposed amendment is as follows:

R4605.5 In the coastal hazard area and the ocean hazard area, all metal connectors and fasteners outside conditioned spaces shall be hot-dip galvanized steel after fabrication and meet ASTM A 153. Exposed metal connectors, such as tie-down straps on porches, decks, and areas under the structure, shall be a minimum 3/16-inch (5mm) thick, and shall be hot-dip galvanized after fabrication and meet ASTM A 123 or ASTM A 153. Stainless steel light-gage metal connectors shall be permitted in exposed locations. Metal connectors of approved equivalent corrosion-resistant material may be accepted. See Table R4605.5.

TABLE R4605.5^a
CORRISION RESISTANCE

(Applies only to Structures Located in Coastal High-Hazard Areas and Ocean Hazard Areas)

	OPEN (exterior, porches, under house)	EXPOSURE LEVEL VENTED/ENCLOSED (attic, floor trusses, enclosed crawl spaces and stud cavity)	CONDITIONED (heated/cooled living areas)
Nails, staples, screws	Hot-dip galvanized	Hot-dip galvanized	—
Nuts, bolts, washers, tie rods	Hot-dipped galvanized	Hot-dip galvanized	—
Steel connection plates and straps (3/16" minimum thickness)	Hot-dip galvanized after fabrication	Hot-dip galvanized	—
Sheet metal connectors, wind anchors, joist hangers, steel joists and beams	Stainless steel, or hot-dip galvanized after fabrication <u>or triple galvanized^b</u>	Hot-dip galvanized after plate fabrication <u>or triple galvanized^b</u>	Hot-dip galvanized <u>or triple galvanized^b</u>
Truss plates	Stainless steel, or hot-dip galvanized after fabrication <u>or triple galvanized^b</u>	Hot-dip galvanized after fabrication, or stainless steel, <u>triple galvanized^b or in accordance with TPI-1 of the Truss Plate Institute within 6'-0" of a gable louver, ridge or soffit vent. Otherwise in accordance with TPI-1 of the Truss Plate Institute Standard galvanized^b.</u>	Standard galvanized ^b

- a. Applies only to structures located in Coastal High-Hazard Areas and Ocean High Hazard Areas
b. Triple galvanizing – G185, standard galvanizing – G60 both per ASTM A 653 / A 653M

Motion/Second/Approved – The request was granted and sent to the Residential Committee and the Structural Committee for review.

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 December 10, 2013 and the Final Adoption meeting may take place on or after March 11, 2014. The written public comment period expires on January 14, 2014.

Item C – 1 Request by John Hitch, Raleigh, NC, to amend the 2012 NC Building Code, Table 1004.1.1. The proposed amendment is as follows:

Reference Table 1004.1.1 Minimum Floor Area Allowances per Occupant. Add the following footnote to “Assembly – unconcentrated (tables and chairs)” and to “Business areas”:

- a. 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 will be calculated at 15

square feet per occupant for the purpose of determining egress from the room containing the assembly occupancy.

There were no comments on this item.

Item C – 2 Request by Steve Knight, representing the NCBCC Structural Committee, to amend the 2012 NC Building Code, Chapter 23. The proposed amendment is as follows:

Change the following tables in Chapter 23 as indicated in the link below:

2308.8.8(1), 2308.8(2),
2308.9.5, 2308.9.6,
2308.10.2(1), 2308.10.2(2),
2308.10.3(1), 2308.10.3(2), 2308.10.3(3), 2308.10.3(4), 2308.10.3(5), 2308.10.3(6)

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=BCC_-_Agendas&user=Building_Code_Council&sub=BCC_Meeting

Paul Coats, representing The American Wood Council, recommends that the Council adopt this code change.

Item C – 3 Request by Steve Knight, representing the NCBCC Structural Committee, to amend the 2012 NC Residential Code, Chapters 5 and 8. The proposed amendment is as follows:

Change the following tables in Chapter 5 as indicated in the link below:

R502.3.1(1), R502.3.1(2),
R502.3.3(1), R502.3.3(2),
R502.5(1), R502.5(2)

Change the following tables in Chapter 8 as indicated in the link below:

R802.4(1), R802.4(2),
R802.5.1(1), R802.5.1(2), R802.5.1(3), R802.5.1(4), R802.5.1(5), R802.5.1(6)

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=BCC_-_Agendas&user=Building_Code_Council&sub=BCC_Meeting

Paul Coats, representing The American Wood Council, recommends that the Council adopt this code change.

Item C – 4 Request by Stuart Laney, representing New Hanover Division – NC Association of Electrical Contractors, to amend the 2011 NEC, Section 250-50 & Code Council Amendment. The proposed amendment is as follows:

Exception: Supplemental Ground Electrodes shall not be required for a temporary service installed on a construction site. Supplemental Ground Electrode shall be provided by the Grounded service-entrance conductor specified in 250-53(A)(2)(3).

Paul Abernathy, representing NEMA, does not recommend that the Council adopt this code change.

Tim Morris, New Hanover County Electrical Contractor, recommends that the Council adopt this code change.

Terry Cromer, NC AEC, recommends that the Council adopt this code change.

Alan Manche, representing Schneider Electric, does not recommend that the Council adopt this code change.

Stuart Laney, NC AEC, recommends that the Council adopt this code change.

Item C – 5 Request by Gerry Mancuso, Wilmington, NC, to amend the 2012 NC Plumbing Code, Section 412.5. The proposed amendment is as follows:

412.5 Location. Floor drains shall be located to drain the entire floor area and installed flush with the finished floor surface as to prevent a trip hazard.

Mark Matheny, NCBIA, commented that ‘as to prevent a trip hazard’ was unnecessary.

Item C – 6 Request by Leah C. Faile, representing NCBCC Building Committee, to amend the 2012 NC Building Code, Section 3404.6. The proposed amendment is as follows:

3404.6 Means of egress capacity factors. Alterations to any existing building or structure shall not be affected by the egress width factors in Section 1005.1 for new construction in determining the minimum egress widths or the minimum number of exits in an existing building or structure. The minimum egress widths for the components of the *means of egress* shall be based on the *means of egress* width factors in the building code under which the building was constructed, and shall be considered as complying *means of egress* for any *alteration* if, ~~in the opinion of the building official,~~ that do not constitute a distinct hazard to life.

There were no comments on this item.

Item C – 7 Public Comment is Solicited from Interested Stakeholders on Proposed Change to a 6-Year Code Cycle for all codes.

David Crawford, AIA of NC, does not recommend that the Council adopt this change.

James Bartl, Mecklenburg County, does not recommend that the Council adopt this change.

Mark Matheny, NCBIA, does not recommend that the Council adopt this change.

Meghan Housewright, NFPA, does not recommend that the Council adopt this change.

Steve Rood, Legrand, does not recommend that the Council adopt this change.

Wayne Hamilton, NC Fire Codes Revision Committee, does not recommend that the Council adopt this change.

Jeffrey Fecteau, Underwriters Laboratories, Inc., does not recommend that the Council adopt this change.

Tom Phoenix, ASHRAE, does not recommend that the Council adopt this change.

Paul Abernathy, NEMA, does not recommend that the Council adopt this change.

Randy Safer, NFPA, Southern Region, does not recommend that the Council adopt this change.

Bob Yanniello, Eaton Electrical, does not recommend that the Council adopt this change.

Charles Theisen, Architect, does not recommend that the Council adopt this change.

Philip Stevens, Carolina Healthcare Systems, does not recommend that the Council adopt this change.

Carey Gurlitz, NC Division of Health Service Regulation, does not recommend that the Council adopt this change.

Steven Tichener, Simplex Grinnell, does not recommend that the Council adopt this change.

Eric Stafford, Insurance Institute for Business & Home Safety, does not recommend that the Council adopt this change.

Jerry Coble, NC FMA, does not recommend that the Council adopt this change.

Terry Fair, with Nevis/NC Healthcare, does not recommend that the Council adopt this change.

Jonathan Flannery, American Society for Healthcare Engineers, does not recommend that the Council adopt this change.

Randy Shackelford, with Simpson Strongtie, does not recommend that the Council adopt this change.

Ben Edwards, with Mathis Consulting, does not recommend that the Council adopt this change.

Vaughn Wicker, with ICC, does not recommend that the Council adopt this change.

Alan Manche, with Schneider Electric, does not recommend that the Council adopt this change.

Tim Bradley, with NC State Fireman's Association, does not recommend that the Council adopt this change.

Denny Murphy, Architect, does not recommend that the Council adopt this change.

Michael Rettie, Orange County, does not recommend that the Council adopt this change.

Clint Latham, representing the NC Plumbing Inspector's Association, does not recommend that the Council adopt this change.

Doug Wegner, citizen, does not recommend that the Council adopt this change.

Rob Stevenson, representing the Structural Engineers Association of NC, recommends that the Council adopt this change.

Terry Cromer, representing NCAEC-IEC, recommends that the Council adopt this change.

Dave Simpson, representing Carolinas AGC, spoke but is neither for nor against this change.

[Note]: This item was heard at the end of the December Agenda.

Item C – 8 Request by Wayne Hamilton, representing the NC Fire Service Code Revision Committee, to amend the 2012 NC Fire Code, Sections 908.7 and 908.7.1. The proposed amendment is as follows:

908.7 Carbon monoxide alarms. Group I-1, I-2, I-4 or R occupancies located in a building containing a fuel-burning heater, appliance, or fireplace or in a building which has an attached garage shall be equipped with single-station carbon monoxide alarms. The carbon monoxide alarms shall be listed as complying with UL 2034 and be installed and maintained in accordance with NFPA 720 and the manufacturer’s instructions. An open parking garage, as defined in Chapter 2 of the International Building Code, or an enclosed parking garage ventilated in accordance with Section 404 of the International Mechanical Code shall not be considered an attached garage.

Exception: Sleeping units or dwelling units which do not themselves contain a fuel-burning heater, appliance, fireplace or have an attached garage, but which are located in a building with a fuel-burning heater, appliance, fireplace or an attached garage, need not be equipped with single-station carbon monoxide alarms provided that:

1. The sleeping unit or dwelling unit is located more than one story above or below any story which contains a fuel-burning heater, appliance, fireplace or attached garage.
2. The sleeping unit or dwelling unit is not connected by duct work or ventilation shafts to any room containing a fuel-burning heater, appliance, fireplace or to an attached garage; and
3. The building is equipped with a common area carbon monoxide alarm system.

908.7.1 Carbon monoxide detection systems. Carbon monoxide detection systems, which include carbon monoxide detectors and audible notification appliances installed and maintained in accordance with NFPA 720 shall be permitted. The carbon monoxide detectors shall be listed as complying with UL 2075.

Amend Chapter 47 as follows:

Add NFPA Standard:

720-09 Standard for the Installation of Carbon Monoxide(CO) Detection.....908.7, 908.7.1 and Warning Equipment, 2009 Edition

Wayne Hamilton, representing the NC Fire Service Code Revision Committee, recommends that the Council adopt this code change.

Jim Hayes, with DHHS, recommends that the Council adopt this code change.

Item C – 9 Request by Wayne Hamilton, representing the NC Fire Service Code Revision Committee, to amend the 2012 NC Fire Code, Section 2206.2.3. The proposed amendment is as follows:

Add Exception # 5 to 2206.2.3:

2206.2.3 Above-ground tanks located outside, above grade. Above-ground tanks shall not be used for the storage of Class I, II, or IIIA liquid motor fuels except as provided by this section.

1. Above-ground tanks used for outside, above-grade storage of Class I liquids shall be *listed* and *labeled* as protected above-ground tanks and be in accordance with Chapter 34. Such tanks shall be located in accordance with Table 2206.2.3.
2. Above-ground tanks used for above-grade storage of Class II or IIIA liquids are allowed to be protected above-ground tanks or, when *approved* by the *fire code official*, other above-ground tanks that comply with Chapter 34. Tank locations shall be in accordance with Table 2206.2.3.
3. Tanks containing fuels shall not exceed 12,000 gallons (45 420 L) in individual capacity or 48,000 gallons (181 680 L) in aggregate capacity. Installations with the maximum allowable aggregate capacity shall be separated from other such installations by not less than 100 feet (30 380 mm).
4. Tanks located at farms, construction projects, or rural areas shall comply with Section 3406.2.
5. Fleet service stations. Listed UL 142 above ground storage tanks with spill control, 1,100 gallons (4164L) or less in capacity, may be used to store Class I liquids at fleet service stations.

Wayne Hamilton, representing the NC Fire Service Code Revision Committee, recommends that the Council adopt this code change.

Tim Loughlin, representing the NC Petroleum and Convenience Marketers, recommends that the Council adopt this code change.

Item C-10 Request by Tom Brown and Jeff Griffin, representing the NCBIA, to amend the 2012 NC Residential Code, Section R101.2. The proposed amendment is as follows:

R101.2 Scope. The provisions of the *North Carolina Residential Code for One- and Two-family Dwellings* shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, equipment, use and occupancy, location, removal and demolition of 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 buildings* and *structures*.

Exception: Live/work units complying with the requirements of Section 419 of the *North Carolina Building Code* shall be permitted to be built as one- and two-family *dwellings* or townhouses. Fire suppression required by Section 419.5 of the *North Carolina Building Code* when constructed under the *North Carolina Residential Code for One- and Two-family Dwellings* shall conform to Section 903.3.1.3 of the *International Building Code*.

R101.2.1 Accessory buildings. Accessory buildings with any dimension greater than 12 feet (3658mm) must meet the provisions of this code. Accessory buildings may be constructed without a masonry or concrete foundation, except in coastal high hazard or ocean hazard areas, provided all of the following conditions are met:

1. The accessory building shall not exceed 400 square feet (37m²) or one story in height; and

2. The building is supported on a wood foundation of minimum 2x6 or 3x4 mudsill of approved wood in accordance with Section R317; and
3. The building is anchored to resist overturning and sliding by installing a minimum of one ground anchor at each corner of the building. The total resisting force of the anchors shall be equal to 20 psf (958 Pa) times the plan area of the building.

R101.2.2 Accessory structures. Accessory structures are not required to meet the provisions of this code except decks, gazebos, retaining walls as required by Section R404.4, detached masonry chimneys built less than 10' from other buildings, pools or spas per appendix G, detached carports.

Exception: Portable lightweight aluminum or canvas type carports not exceeding 400 sq ft or 12' mean roof height and tree houses supported solely by a tree are exempt from the provisions of this code.

There were no comments on this item.

Item C-11 Request by Tom Brown and Jeff Griffin, representing the NCBIA, to amend the 2012 NC Residential Code, Chapter 2 DEFINITIONS. The proposed amendment is as follows:

ACCESSORY BUILDING. In one- and two-family dwellings not more than three stories high with separate means of egress, a building, the use of which is incidental to that of the main building and which is detached and located on the same lot. An accessory building is a building that is roofed over and more than 50% of its exterior walls are enclosed. Examples of accessory buildings are garages, storage buildings, workshops, boat houses, etc...

ACCESSORY STRUCTURE. Accessory structure is any structure not roofed over and enclosed more than 50% of its perimeter walls, that is not considered an accessory building located on one- and two-family dwelling sites which is incidental to that of the main building. Examples of accessory structures are, but not limited to; fencing, decks, gazebos, arbors, retaining walls, barbecue pits, detached chimneys, tree houses (supported by tree only), playground equipment, yard art, etc. Accessory structures are not required to meet the provisions of this code except; decks, gazebos, retaining walls as required by Section R404.4, detached masonry chimneys built less than 10' from other buildings, pools or spas per appendix G, detached carports. ~~are not required to meet the provisions of this code.~~

There were no comments on this item.

Item C-12 Request by Tom Brown and Jeff Griffin, representing the NCBIA, to amend the 2012 NC Residential Code, TABLE R302.1. The proposed amendment is as follows:

**TABLE R302.1
EXTERIOR WALLS**

EXTERIOR WALL ELEMENT		MINIMUM FIRE-RESISTANCE RATING	MINIMUM FIRE SEPARATION DISTANCE
Walls	(Fire-resistance rated)	1 hour-tested in accordance with ASTM E 119 or UL 263 with exposure to both sides	< 3 feet
	(Not fire-resistance rated)	0-Hours	≥ 3 feet
Projections	(Fire-resistance rated)	1-Hour on the underside	< 2 feet < 3 feet
	(Not fire-resistance rated)	0-Hours	≥ 2 feet ≥ 3 feet
Openings	Not Allowed	N/A	< 3 feet
	Unlimited	0-Hours	≥ 3 feet
Penetrations	All	Comply with Section R302.4	< 3 feet
		None Required	≥ 3 feet

For SI: 1 foot=304.8 mm.

There were no comments on this item.

Item C-13 Request by David Smith, representing the NC BCC Residential Ad-Hoc Committee, to amend the 2012 NC Residential Code, Section R308.4. The proposed amendment is as follows:

R308.4 Hazardous locations. The following shall be considered specific hazardous locations for the purposes of glazing:

1. Glazing in all fixed operable panels of swinging, sliding and bifold doors.

Exceptions:

1. Glazed openings of a size through which a 3-inch diameter (76 mm) sphere is unable to pass.
 2. Decorative glazing.
2. Glazing in an individual fixed or operable panel ~~adjacent to a~~ in the same plane as the door where the nearest vertical edge is within 24-inches (610 mm) of the door in a closed position and whose bottom edge is less than 60 inches (1524 mm) above the floor or walking surface.

Exceptions:

1. Decorative glazing.
 2. When there is an intervening wall or other permanent barrier between the door and the glazing.
 3. Glazing in walls on the latch side of and perpendicular to the plane of the door in a closed position.
 4. Glazing adjacent to a door where access through the door is to a closet or storage area 3 feet (914 mm) or less in depth.
 5. Glazing that is adjacent to the fixed panel of patio doors.
3. Glazing in an individual fixed or operable panel that meets all of the following conditions:
- 3.1. The exposed area of an individual pane is larger than 9 square feet (0.836 m²); and
 - 3.2. The bottom edge of the glazing is less than 18 inches (457 mm) above the floor; and
 - 3.3. The top edge of the glazing is more than 36 inches (914 mm) above the floor; and
 - 3.4. One or more walking surfaces are within 36 inches (914 mm), measured horizontally and in a straight line, of the glazing.

Exceptions:

1. Decorative glazing.
 2. When a horizontal rail is installed on the accessible side(s) of the glazing 34 to 38 inches (864 to 965) above the walking surface. The rail shall be capable of withstanding a horizontal load of 50 pounds per linear foot (730 N/m) without contacting the glass and be a minimum of 1½ inches (38 mm) in cross sectional height.
 3. Outboard panes in insulating glass units and other multiple glazed panels when the bottom edge of the glass is 25 feet (7620 mm) or more above *grade*, a roof, walking surfaces or other horizontal [within 45 degrees (0.79 rad) of horizontal] surface adjacent to the glass exterior.
4. All glazing in railings regardless of area or height above a walking surface. Included are structural baluster panels and nonstructural infill panels.
5. Glazing in doors and enclosures for ~~or walls facing~~ hot tubs, whirlpools, saunas, steam rooms, bathtubs and showers. Glazing enclosing these compartments where the bottom exposed edge of the glazing is less than 60 inches (1524 mm) measured vertically above any standing or walking surface.

Exception: ~~Glazing that is more than 60 inches (1524 mm), measured horizontally and in a straight line, from the water's edge of a hot tub, whirlpool or bathtub.~~

6. Glazing in walls and fences adjacent to indoor and outdoor swimming pools, hot tubs and spas where the bottom edge of the glazing is less than 60 inches (1525 mm) above a walking surface and within 60 inches (1524 mm), measured horizontally and in a straight line, of the water's edge. This shall apply to single glazing and all panes in multiple glazing.
7. Glazing adjacent to stairways, landings and ramps within 36 inches (914 mm) horizontally of a walking surface when the exposed surface of the glazing is less than 60 inches (1524 mm) above the plane of the adjacent walking surface.

Exceptions:

1. When a rail is installed on the accessible side(s) of the glazing 34 to 38 inches (864 to 965 mm) above the walking surface. The rail shall be capable of withstanding a horizontal load of 50 pounds per linear (730 N/m) without contacting the glass and be a minimum of 1½ inches (38 mm) in cross sectional height.
 2. The side of the stairway has a guardrail or handrail, including balusters or in-fill panels, complying with Sections R311.7.7 and R312 and the plane of the glazing is more than 18 inches (457 mm) from the railing; or
 3. When a solid wall or panel extends from the plane of the adjacent walking surface to 34 inches (863 mm) to 36 inches (914 mm) above the walking surface and the construction at the top of that wall or panel is capable of withstanding the same horizontal load as a *guard*.
8. Glazing adjacent to stairways within 60 inches (1524 mm) horizontally of the bottom tread of a stairway in any direction when the exposed surface of the glazing is less than 60 inches (1524 mm) above the nose of the tread.

Exceptions:

1. The side of the stairway has a guardrail or handrail, including balusters or in-fill panels, complying with Sections R311.7.7 and R312 and the plane of the glass is more than 18 inches (457 mm) from the railing; or
2. When a solid wall or panel extends from the plane of the adjacent walking surface to 34 inches (864 mm) to 36 inches (914 mm) above the walking surface and the construction at the top of that wall or panel is capable of withstanding the same horizontal load as a *guard*.

There were no comments on this item.

Item C-14 Request by David Smith, representing the NC BCC Residential Ad-Hoc Committee, to amend the 2012 NC Residential Code, Section R310.1.1. The proposed amendment is as follows:

R310.1.1 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear openable area of 4 square feet (0.372 m²) The minimum net clear opening height shall be 22 inches (558 mm). The minimum net clear opening width shall be 20 inches (508 mm). Emergency escape and rescue openings must have a minimum total glazing area of not less than 5 square feet (0.465 m²) in the case of a ground floor level window and not less than 5.7 square feet (0.530 m²) in the case of an upper story window.

~~**Exception:** Grade floor openings shall have a minimum net clear opening of 5 square feet (0.465 m²).~~

There were no comments on this item.

Item C-15 Request by Al Bass, representing the NC BCC Mechanical Committee, to amend the 2012 NC Plumbing Code, Sections 202 & 605.2. The proposed amendment is as follows:

**SECTION 202
GENERAL DEFINITIONS**

LEAD-FREE PIPE AND FITTINGS. Containing not more than ~~8.0~~ 0.25-percent lead.

605.2 Lead content of water supply pipe and fittings. Pipe and pipe fittings, including valves and faucets, utilized in the water supply system shall have a maximum of ~~8~~ 0.25-percent lead content.

There were no comments on this item.

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 September 10, 2013. The Final Adoption meeting took place on December 10, 2013. The Council will give no further consideration to Petitions that are disapproved. Petitions that are approved will proceed through the Rulemaking process.

Item D – 1 Request by Bastian Lohmann, representing Wedi Corporation, to amend the 2012 NC Plumbing Code, Section 417.1. The proposed amendment is as follows:

417.1 Approval. Prefabricated showers and shower compartments shall conform to ~~ANSI Z124.2~~ ANSI Z124.1.2, ASME A112.19.9M or CSA B45.5. Shower valves for individual showers shall conform to the requirements of Section 424.3.

[STAFF NOTE: Make correlation changes to Table 417.4 and Chapter 13]

Motion – Al Bass/Second – Ralph Euchner/Adopted with an effective date of January 1, 2015.

Item D – 2 Request by Timothy Laughlin, PE, representing NC Petroleum & Convenience Marketers, to amend the 2012 NC Fire Prevention Code, Section 105.7.7. The proposed amendment is as follows:

105.7.7 Flammable and combustible liquids. A construction permit is required:

1. To install, repair or modify a pipeline for the transportation of flammable or *combustible liquids*.
2. To install, construct or alter tank vehicles, equipment, tanks, plants, terminals, wells, fuel-dispensing stations, refineries, distilleries and similar facilities where flammable and *combustible liquids* are produced, processed, transported, stored, dispensed or used. Maintenance performed in accordance with this code is not considered an installation, construction or alteration and does not require a permit.
3. To install, alter, remove, abandon or otherwise dispose of a flammable or *combustible liquid* tank.

Motion – Alan Perdue/**Second** – Leah Faile/**Adopted** with an effective date of January 1, 2015.

Item D – 3 Request by Leon Skinner, Chair of the NC Existing Building Code Ad-Hoc Committee, to adopt the 2015 NC Existing Building Code and to eliminate the 1995 NC Existing Building Code and Rehabilitation Code.

Motion – Alan Perdue – To adopt the 2015 NC Existing Building Code with an effective date of March 1, 2015, thereby providing a transition period where by the 1995 NC Existing Building Code and Rehab Code may be utilized. Effective March 1, 2018 the 1995 NC Existing Building Code and Rehab Code are hereby eliminated. **Second/Amendment to motion** – Steve Knight – To remove the 1995 NC Existing Building Code and Rehab Code out of the transition and eliminate effective March 1, 2015.

After some discussion, a **Motion** was made to suspend the rules, eliminate the motion and amendment, and start over/**Second** – David Smith/**Passed**.

Motion – Alan Perdue – To adopt the 2015 NC Existing Building Code with an effective date of March 1, 2015, thereby providing a transition period whereby the NC Rehab Code may be utilized. Effective March 1, 2015, the 1995 NC Existing Building Code is hereby eliminated. Effective March 1, 2018 the NC Rehab Code are hereby eliminated. **Second** – Leah Faile/**Adopted**.

Item D – 4 Request by Jeff Griffin, from Mecklenburg County, to amend the 2012 NC Residential Code, Chapters 3 and 7. The proposed amendment is as follows:

Revise Section R302.1 item #1 to read:

1. Walls, projections, openings or penetrations in walls perpendicular to the line used to determine the fire separation distance. Townhouse eave projections shall comply with R302.2.5 and R302.2.6.

Revise Section R302.2.6 Townhouse eave projections item #3 to read:

3. Eaves shall have not less than 1 ~~hour~~ layer of 5/8” type X gypsum or equivalent fire-resistive construction on the underside.

(Delete Section R703.11.3 Soffit) and replace with new Section R302.1.1 Soffit protection:

R302.1.1 Soffit protection. In construction using vinyl or aluminum soffit material the following application shall apply. Soffit assemblies located on buildings with less than a 10' fire separation distance shall be securely attached to framing members and applied over fire retardant treated wood, 23/32 inch wood sheathing or 5/8 inch exterior grade or moisture resistant gypsum board. Venting requirements shall be provided in both soffit and underlayments. Vents shall be either nominal 2-inch (51mm) continuous or equivalent intermittent and shall not exceed the minimum net free air requirements established in Section R806.2 by more than 50%. Townhouse construction shall meet the additional requirements of R302.2.5 and R302.2.6.

Exception:

1. Soffits, any portion of, having 10' or more fire separation distance.
2. Roof rake lines where soffit doesn't communicate to attic are not required to be protected per this section.
3. Soffits with less than a 3' fire separation distance shall meet the projection fire rating requirements of Table R302.1.
4. Soffits between buildings located on the same lot.

(Delete section R703.11.4 Flame spread) and substitute with new Section R302.1.2 Flame spread:

R302.1.2 Flame spread. Vinyl siding and vinyl soffit materials shall have a Flame Spread Index of 25 or less as tested in accordance with ASTM E-84.

Motion – David Smith/**Second/Adopted** as amended with an effective date of January 1, 2015.

Item D – 5 Request by Wayne Hamilton, representing the NC Fire Service Code Revision Committee, to amend the 2012 NC Fire Code, Section 903.2.8. The proposed amendment is as follows:

Revise section by adding exceptions:

[F] 903.2.8 Group R. An automatic sprinkler system shall be installed in accordance with Section 903.3 throughout all buildings with a Group R fire area, except as provided for in Section 903.2.8.1.

Exceptions:

1. An *automatic sprinkler system* is not required in new adult and child care facilities located in existing Group R-3 and R-4 occupancies.
2. An *automatic sprinkler system* is not required in ~~Group R-1~~ *temporary overflow shelters.*
3. Group R-2 buildings housing farm workers and/or their families located outside of a municipality's building rules jurisdiction that are not exempted by Section 903.2.8.1 may install a 13D multipurpose sprinkler system where all of the following conditions are exists:

1. The Group R building cannot exceed two stories in height.

2. The Group R building cannot exceed 2500 square feet in area (232m²).
3. The Group R building shall have two remote means of egress.
4. Group R-2 fire areas in fire stations may install a 13D sprinkler system in accordance with 903.3.5.1 when separated from other occupancies by a fire wall where all of the following conditions exist.
 1. The Group R building cannot exceed one story in height.
 2. The Group R fire area cannot exceed 2500 square feet in area (232m²).
 3. The Group R fire area has two remote means of egress.
5. An automatic sprinkler system is not required in camping units located within a campground where all of the following conditions exist:
 1. The camping unit is limited to one story in height.
 2. The camping unit is less than 400 square feet in area (37.16 m²).
 3. The camping unit does not have a kitchen.

[F] **903.2.8.1 Group R migrant housing.** Migrant housing as defined by G.S. 95-223 shall be exempt from the following conditions exist:

1. The Group R building is not more than one story in height;
2. The Group R building meets all of the requirements of NC GS §95-222 through NC GS §95-229.4.4. (Chapter 95, Article 19) and 29 CFR 1910.142, as amended.

Motion – Alan Perdue/**Second** – Leah Faile/**Adopted** with an effective date of January 1, 2015.

Item D – 6 Request by Lon McSwain, representing the NC BCC Building Standing Committee, to amend the 2012 NC Building Code, Section 101.2. The proposed amendment is as follows:

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

1. Detached one- and two-family dwellings and multiple single-family dwellings (townhouses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code*.
2. Farm Buildings as described by G.S. 143-138(b4) that are not used for sleeping purposes and located outside the buildings rules jurisdiction of any municipality.

~~**Exception:** All buildings used for sleeping purposes shall conform to the provisions of the technical codes.~~

3. Greenhouses as described by G.S. 143-138(b4) for farm building use located outside or inside the building rules jurisdiction of a municipality or a county.
 4. Farm buildings for equine activities as described by G.S. 143-138(b4) and located outside the building rules jurisdiction of a municipality.
 - ~~3~~.5. 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, and anhydrous ammonia or other liquid fertilizers.
 - 4.6. The design, construction, location, installation or operation of equipment or facilities of a public utility, as defined in 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.
- Note:** All *buildings* owned and operated by a public utility or an electric or telephone membership corporation shall meet the provisions of the code.
- ~~5~~.7. The Storage and Handling of Hazardous Chemicals Right to Know Act, Article 18 of Chapter 95 of the North Carolina General Statutes.

Motion/Second/Passed to send to the General Construction Committee to modify to match the revised Statute.

Item D – 7 Request by Chris Noles, representing NCDOI on behalf of the NC BCC, to amend the 2012 NC Building Code, Appendix *NEW*, Sections 101.1, 102, & 103. The proposed amendment is as follows:

The purpose of this section is to address structures such as camping cabins or primitive structures that are used on a temporary basis.

101.1 Scope. The purpose of this section is to address buildings that are subject to limited portions of the building code.

102 Terms.

102.1 Primitive structure – Buildings not used as a primary residence intended for the primary purpose of rustic living. These structures are not equipped with water or electricity and are used on a temporary basis.

102.2 Roof-only structures – Buildings without walls such as pavilions or gazebos that do not exceed 750 square feet.

103 Design

103.1 Applicability. Primitive and roof-only structures shall only be applicable to code sections identified in the following:

103.1.1 Structural stability. The structures shall be evaluated to meet the interior and exterior loading requirements contained in Chapter 16 of the Building Code.

103.1.2 Clearance to Combustibles. Ignition sources such as fireplaces or stoves shall be separated from combustibles in accordance with Chapter 7 of the Building Code.

103.1.3 Fires. Recreational fires shall be separated from the buildings in accordance with the Fire Code.

103.1.4 Egress. A clear means of egress shall be maintained from each sleeping room.

103.2 Issues not addressed. Life safety issues not covered by this section shall be mitigated by code official.

Motion – Robbie Davis/**Second** – Ralph Euchner/**Disapproved.**

[Note]: The General Construction Committee was directed to incorporate The Primitive Structure exception along with other exceptions in Item D-6.

Item D – 8 Request by Robert Privott, NC Home Builders Association, to amend the 2012 NC Administrative Code and Policies, Section 107. The proposed amendment is as follows:

SECTION 107 INSPECTIONS

107.1 General. The inspection department shall perform the following inspections:

1. Footing inspection;
2. Under slab inspection, as appropriate;
3. Foundation inspection, wood-frame construction;
4. Rough-in inspection;
5. Building framing;
6. Insulation inspection;
7. Fire protection inspection; and
8. Final inspection

Footnote:

1. For residential construction, inspections shall be limited to the comprehensive list above. Requirements for additional inspections must be approved by the North Carolina Building Code Council before being required by local jurisdictions except where unforeseen or unique circumstances exist. In the absence of approval by the Building Code Council the requirements for additional inspection shall have no force and effect.

Motion to allow the BCC to consider this item as a final action item – Robbie Davis/**Second** – Tim Fowler/**Passed**

Motion to add “Temporary Pole” to the list of eight inspections and eliminate the footnote commentary – Robbie Davis/**Second** – Al Bass/**Failed**

[Note]: This item will be brought back as a D-Item on the June 2014 BCC Agenda.

Part E – Reports

Chairman’s Report

-Dan Tingen asked the Council which direction they would like to take on the Six-year Code Cycle.

-Tim Fowler made a **Motion** to halt the current code rewrite process and keep the current codes and to continue to incorporate the incoming amendments and process them within a two-year timeframe/**Second/Failed**.

-Robbie Davis made a **Motion** to adopt a Six-year Code Cycle/**Second** – Tim Fowler.

-Alan Perdue made a **Motion** to table this item until the March 2014 BCC meeting/**Second/Passed**.

-Dan Tingen discussed House Bill 468 and asked staff if there had been any concern about the item. Chris Noles reported that there had been a lot of phone calls regarding this Bill.

-Chairman Tingen asked for an update on House Bill 120. He asked staff if there had been any guidance that NCDOT has given to local jurisdictions on how to enforce this legislation. Chris Noles reported that staff has provided guidance, but referred people who have asked for an interpretation of this Bill to their local county or city attorney for the proper interpretation. Chairman Tingen asked Mr. Noles to help the Council understand the difficulty of placing a posting of guidance of policy on the department website. Mr. Noles referred his question to the board attorney, Brandon Truman. Mr. Truman stated that the Department cannot do anything that is tantamount to rule-making or enforcing a policy that is not supported by a rule or statute. Mr. Truman said that if someone feels that there needs to be clarity, then either the statute or the code needs to be amended. Chairman Tingen asked that if the Council asked the Chair to write a letter trying to offer some guidance as to how to proceed with House Bill 120, and if the Chair presented the letter to the department, if they would post it to their website. Mr. Truman stated that he could not speak for what the department would do and would rather the Council not interject itself in that when the law is clear on that.

-Chairman Tingen reported that there is an appeal that was thought to be unnecessary but should have been conducted needs to be placed on the docket. Brandon Truman announced that the Ham’s Restaurant Appeal has been placed on the March 2014 Agenda and the Robertson Appeal needs to be placed on the June docket unless the Council and the attorneys involved can hear it sooner. Chairman Tingen asked the Council if they would be available to hear the Robertson Appeal sometime before June 2014.

Ad Hoc Committee Reports

There were none.

Standing Committee Reports

There were none.

Staff Reports

-Chris Noles reported on House Bill 74 and that with working with DHHS will report back to the Board in March and to be prepared for a presentation back to the Legislature in April.

-Chairman Tingen asked Mr. Noles to make the Council aware of the ability to listen to the BCC meeting recordings on the DOI website. Mr. Noles asked Rob Roegner to speak on this item. Mr. Roegner reported that a process with a slide presentation and recording of the meeting has now been implemented on the website.

-Cindy Register asked for a list of the General Statutes that impact the Council. Mr. Noles stated that that there was such a list on the website and he would make sure to get a list to her.

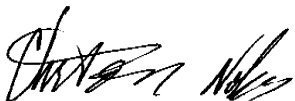
Public Comments

There were none.

Part F – Appeals

There was no appeal scheduled for this meeting.

Sincerely,



Christian Noles, P.E.
Secretary, NC Building Code Council