



MIKE CAUSEY, INSURANCE COMMISSIONER & STATE FIRE MARSHAL
BRIAN TAYLOR, CHIEF STATE FIRE MARSHAL

July 19, 2019

Michael Rettie
Orange County
PO Box 8181
Hillsborough, NC 27278

**RE: Orange County, NC
Section 107.1 2018 NC Administrative Code and Policies and section R703 2018 NC Residential Code,
specifically whether inspection is required for weather protection of building prior to exterior cladding
installation upon Residential houses**

Mr. Rettie:

This letter is in response to your request for formal interpretation dated 5/31/19. You asked in that letter:

*Referencing the 2018 NC Administrative Code and Policies section 107, Appeal determination by the NC Building Code Council ordered, November 27, 2018. Please confirm/affirm that the 2018 (2012) NC Residential Code section **R703 Exterior Covering** [specifications as identified] is excluded from any required inspection by NC Code Enforcement Officials, for code compliance approval as required by G.S. 153A-352 and 160A-412 (that are not deemed as "unforeseen or unique circumstances that require immediate action")
**This would include all lintel installations under the 2018 NC Residential Code since bolting requirements are not specified, outside a Licensed Design Professional's requirements.*

The November 27, 2018 NC Building Code Council order addressed the ability of a contractor to install exterior cladding as part of the building framing inspection. It did not indicate that all NC Residential Code requirements for exterior wall covering (2018 NC Residential Code, Section 703) was exempt from inspections. Exterior wall coverings must still comply with the codes and the manufacturer's installation instructions, but inspection is limited to those parts that are visible to the inspector at the time of framing inspection. 2018 NC Administrative Code and Policies, Section 107.1.5 – Framing Inspection does specifically indicate 5 items that must be visible during the framing inspection. Those 5 items cannot be covered by exterior cladding or interior finishes such that inspection of those 5 items cannot be made at the time of the framing inspection.

As a matter of reference, a copy of your letter requesting a formal interpretation and all attachments you submitted with that request are included with this letter.

Please call if you have comments or questions.

Sincerely,

Carl Martin, RA
Chief Code Consultant

cc: File
Bill Thunberg, Chairman – COQB
Robbie Davis, Chairman – BCC
Kathy Williams – NC DOI

PLANNING & INSPECTIONS DEPARTMENT
Michael D. Rettie, Chief Building Official

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May 31, 2019

To: Barry Gupton, Chief Code Consultant
Office of State Fire Marshal
325 North Salisbury Street
Raleigh, NC

From: Michael Rettie
Chief Building Official

Re: Request Formal Interpretation:
Section 107.1 2018 NC Administrative Code and Policies and section R703 2018 NC Residential Code, specifically whether inspection is required for weather protection of building prior to exterior cladding installation upon Residential houses

Mr. Gupton,
Orange County wishes to request a **formal interpretation** from NC Department of Insurance, Office of State Fire Marshal to address the following Code clarification:

Referencing the 2018 NC Administrative Code and Policies section 107, Appeal determination by the NC Building Code Council ordered, November 27, 2018. Please confirm/affirm that the 2018 (2012) NC Residential Code section **R703 Exterior Covering** [specifications as identified] is excluded from any required inspection by NC Code Enforcement Officials, for code compliance approval as required by G.S. 153A-352 and 160A-412 (that are not deemed as “unforeseen or unique circumstances that require immediate action”) **This would include all lintel installations under the 2018 NC Residential Code since bolting requirements are not specified, outside a Licensed Design Professional’s requirements.

If not so excluded please identify under which general inspection, listed in 107.1 of the 2018 NC Administrative Code and Policies, these inspections/verifications of section R703 specifications are required to be conducted by NC Code Enforcement Official? The Appeal ruling appears to provide that as long as exterior cladding does NOT obstruct the few listed components (... pipe, chimneys and vents, flashing for roofs and chimneys, insulation baffles...) the cladding may be installed, with verification of section R703 requirements “from visible inspecting such items from the interior of a structure”. This approach would appear inconsistent with the various cladding issues typically verified for this Code section.

It is understood that the NC BCC and NC COQB joint committee opinion paper identified the availability for Permit Holders to request “partial inspections whenever [permit holder] choose [if allowed by AHJ]”, the question relates to what “inspection” the Code Enforcement Official is performing as this [possible] “partial inspection” and when in the construction process these details are to be verified prior to concealing by exterior cladding?

Example: If the Permit Holder installs brick, stone veneer or other exterior siding without inspection approval by the Authority Having Jurisdiction, is it the responsibility of the Permit Holder to remove such cladding for this verification, if so determined by AHJ During “Rough-in” or “Framing” inspection? Or is the Applicant solely responsible for adherence to all specifications of this Code section, [formally] releasing AHJ of any liability or responsibility for these specifications and requirements, under ANY [general] inspection? Under what circumstances could / would the AHJ be exempt from liability and responsibility to the Property Owner, NC Code Officials Qualification Board and General Statutes, if Permit Holder proceeded with cladding the project house (per R703) without required inspection (outside of the SL2015-145 Part IX process)?

Please let me know if there is any further information you need from Orange County for this interpretation request.

Thank you for your consideration

Michael Rettie

Enclosures:

- November 27, 2018 NC BCC appeal
- 2018 NC Administrative Code and Policies section 107.1
- 2018 NC Residential Code section R703
- Email correspondence requesting formal interpretation December 17, 2018
- G.S 153A-352
- NC BCC and NC COQB Committee opinion paper
- NC COQB chairman letter to Code Enforcement Officials regarding required inspections and limitations,
- SL2015-145 HB 255 part III, Official misconduct.

Links to attachments sent with request for interpretation:

[Formal Interpretation request form.pdf](#)

[20181219 Barry Gupton to Michael Rettie Email.docx](#)

[181204 NCHBA BCC Order - 107 Inspections.pdf](#)

[2018 NC Administrative Code and Policies section 107.pdf](#)

[2018 NC Residential Code section R703.pdf](#)

[GS 153A-352.pdf](#)

[GS 153A-357 Permits.pdf](#)

[Memo Number of Inspections \(2\).pdf](#)

[Section 107 Ad Hoc Committee Report Final \(3\).docx](#)

[SL 2015-145 H255 Building Code reform.pdf](#)