



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

December 7, 2023

Mr. Kevin Somersett
Building Plans Reviewer III
Brunswick County Code Administration
75 Courthouse Drive NE, PO Box 249
Bolivia, NC 28422

RE: 2018 NCMC Section 917 Cooking Appliances.

Mr. Somersett:

This letter is in response to your request for formal interpretation to the Office of State Fire Marshal ("OSFM") dated September 15, 2023, which OSFM received by email the same day.

Your letter states in relevant part:

"Besides the exception of two domestic ranges referenced in Section 507.1.2 of the NC Mechanical Code, are there limitations on what types of appliances can be used in a Home Economics class? (e.g., can appliances listed and labeled "For Household Use Only" be used in a classroom environment?) Are common use appliances outside of the uses listed in the exception of 507.1.2 expected to be commercial grade? (e.g., Appliance labeled "Household Use only" used to heat food in a cafeteria for all students that brought food)."

Remarks:

Attachment A is comprised of the request for formal interpretation as well as all supporting information submitted with the request.

Code Analysis: The code does not regulate portable cooking appliances such as electrically heated countertop appliances. Domestic and commercial cooking appliances that are not readily movable to another location because of electric energy or fuel energy connections would be considered as permanently installed and are regulated by the code. Cooking appliances used in areas where domestic cooking operations occur must be listed and labeled for domestic cooking. Cooking appliances used in areas where commercial cooking operations occur must be listed and labeled for commercial cooking.

SECTION 917
COOKING APPLIANCES

917.1 Cooking appliances.

Cooking appliances that are designed for permanent installation, including ranges, ovens, stoves, broilers, grills, fryers, griddles and barbecues, shall be *listed, labeled* and installed in accordance with the manufacturer's instructions. Commercial electric cooking appliances shall be *listed* and *labeled* in accordance with UL 197. Household electric ranges shall be *listed* and *labeled* in accordance with UL 858. Microwave cooking appliances shall be *listed* and *labeled* in accordance with UL 923. Oil-burning stoves shall be *listed* and *labeled* in accordance with UL 896. Solid-fuel-fired ovens shall be *listed* and *labeled* in accordance with UL 2162.

917.2 Domestic appliances.

Cooking appliances installed within *dwelling units* and within areas where domestic cooking operations occur shall be *listed* and *labeled* as household-type appliances for domestic use.

917.3 Installation of microwave oven over a cooking appliance.

The installation of a listed and labeled cooking appliance or microwave oven over a listed and labeled cooking appliance shall conform to the terms of the upper appliance's listing and label and the manufacturer's installation instructions.

Conclusions:

Teaching students domestic cooking in school classrooms is considered domestic cooking use as the frequency of the cooking performed and the effluents produced is similar to domestic cooking by a family in a residential dwelling unit. Listed and labeled domestic cooking appliances and portable cooking appliances may be used in school classrooms, break rooms, cafeterias and other spaces in school buildings if limited to domestic cooking. Listed and labeled commercial cooking appliances are not required in school classrooms, break rooms, cafeterias and other spaces in school buildings so long as the cooking is domestic in nature. A letter from the school system to the code official stating that cooking in the subject spaces is limited to domestic use and posted signage notifying users on the cooking limitations in the subject spaces can be used as conditions of approval to satisfy the NC Building Code requirements. It is the responsibility of the school system to comply with any additional requirements of other regulatory agencies and local ordinances as conditions of approval.

Sincerely,



David B. Rittlinger, PE, LEED AP
(Interim) Deputy Commissioner of Engineering
Chief Code Consultant
NCDOI-OSFM Engineering & Codes Division

cc: Bridget Herring, Chair – BCC
Mark Matheny, Vice-Chair – BCC
Michael Ali, Chair, Commercial Super Committee - BCC
Nathan Childs, Esq., NCDOJ, counsel for NC Building Code Council, nchilds@ncdoj.gov

ATTACHMENT A



**APPENDIX E
APPEALS
NORTH CAROLINA
BUILDING CODE COUNCIL**

325 North Salisbury Street, Room 5_44
Raleigh, North Carolina 27603
(919) 647-0019

APPEAL TO NCDOI/NCBCC

Hearing Date ____/____/____

GS 153A-374, GS 160A-434

Formal Interpretation by NCDOI _____

Appeal of Local Decision to NCDOI _____

GS 143-140, GS 143-141

Appeal of Local Decision to NCBCC _____

Appeal of NCDOI Decision to NCBCC _____

APPELLANT Kevin Somersett PHONE (____) ____ - ____ X _____

REPRESENTING Brunswick County Code Administration

ADDRESS 75 Courthouse DR

CITY Bolivia STATE NC ZIP 28422

E-MAIL Kevin.Somersett@Brunswickcountync.gov FAX (____) ____ - ____

North Carolina State Building Code, Volume Mechanical - Section 917

REQUEST ONE: Formal Interpretation by NCDOI Appeal of Local Decision to NCBCC
 Appeal of Local Decision to NCDOI Appeal of NCDOI Decision to NCBCC

Type or print. Include all background information as required by the referenced General Statutes and the attached policies. Attach additional supporting information.

917.1 Cooking appliances. Cooking appliances that are designed for permanent installation, including ranges, ovens, stoves, broilers, grills, fryers, griddles and barbecues, shall be listed, labeled and installed in accordance with the manufacturer's instructions.

OSHA 1910.303(b)(2). Installation and use. Listed or labeled equipment shall be installed and used in accordance with any instructions included in the listing or labeling.

NEC 110.3(b) Installation and Use. Equipment that is listed, labeled, or both shall be installed and used in accordance with any instructions included in the listing or labeling.

REASON:

Besides the exception of two domestic ranges referenced in Section 507.1.2 of the NC Mechanical Code, are there limitations on what types of appliances can be used in a Home Economics class? (e.g., can appliances listed and labeled "For Household Use Only" be used in a classroom environment?)

Are common use appliances outside of the uses listed in the exception of 507.1.2 expected to be commercial grade? (e.g., Appliance labeled "Household Use only" used to heat food in a cafeteria for all students that brought food)

Signature *Kevin Somersett* DATE: 9/15/23 APPEAL TO NCDOI/NCBC FORM 3/14/17