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Pier and Dock Permit Requirements and Applying the Section Limitations

Code: 2018 Residential Code
Section: R101.2, R327

Date: June 25, 2018

Code: 2018 Administrative Code and Policies
Section: 106.1

General Statute: § 143-138(b5)

General Comments:

Pier and dock structures meeting all of the limitations of the exception of Section R327.1 are not subject to any other minimum code requirements. Any plumbing, mechanical or electrical work on the structure would require a trade permit. If the structure exceeds the limitations of the exception, compliance with Chapter 36 of the NC Building Code is required. There is a form that inspection departments may use for the exemption of such structures located on the link below.

[http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=Code Enforcement - Design Tools&user=Code Enforcement Resources](http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=Code_Enforcement_-_Design_Tools&user=Code_Enforcement_Resources)

The following are questions and answers for clarification on the requirements for plans and permits for these structures as well as how the limitations of the exception apply.

Question 1:

Is a permit required for *new* residential piers, docks, bulkheads, and waterway structures?

Answer:

No, if the structure meets the limitations in the exception in Section R327.1. Piers and docks complying with the exception of Section R327.1 are not required to meet the provisions of this code or Chapter 36 of the NC Building Code.

Yes, if the structure exceeds the limitations in the exception of Section R327.1. The structure is required to be permitted and constructed in accordance with Chapter 36 of the NC Building Code.

Question 2:

Is a plan required to be submitted for *new* residential piers, docks, bulkheads, and waterway structures?

Answer:

Yes, if a permit is required. If the structure exceeds the limitations in the exception of Section R327.1, it is required to be designed and constructed in accordance with Chapter 36 of the NC Building Code which requires plans sealed by a registered design professional.

Question 3:

Is a permit required for *existing* residential piers, docks, bulkheads, and waterway structures that are repaired or altered?

Answer:

No. If the structure meets the limitations in the exception in Section R327.1, there is not a requirement for a permit. Piers and docks complying with the exception of Section R327.1 are not required to meet the provisions of this code or Chapter 36 of the NC Building Code.

No. If the work is such that the cost of the work is less than \$15,000 then a permit is not required in accordance with G.S. §143-138(b5). The general statute excludes replacement or repair of load bearing structures. Therefore, if the structure is impacted, a permit is required regardless of cost. Railings and decking are excluded as load bearing structural components and replacement or repair of these elements is not considered structural and would not require a permit unless the cost of replacing or repairing them exceeds \$15,000.

Yes. If the cost of the work exceeds \$15,000 or involves the structure, the work requires a permit.

Question 4:

Is a plan required to be submitted for *existing* residential piers, docks, bulkheads, and waterway structures that are altered or repaired?

Answer:

If a permit is required, a plan shall be submitted for approval for existing piers and docks that exceed the limitations in Section R327.1. These structures are required to comply with Chapter 36 of the NC Building Code for the portion being repaired or altered. The work may require a sealed plan for the project based on the scope of work.

The extent of the repair or alteration to an existing dock or pier will govern the need to require sealed plans for the structure. In general, minor repairs that do not impact the existing pier or dock structure would not require plans sealed by a registered design professional. Extensive repairs or alterations will likely require sealed plans.

The local code official may determine whether or not an existing pier can be safely repaired or altered without plans that are sealed by a registered design professional as permitted by Section 106.2.2 of the NC Administrative Code and Policies when the structure exceeds the limitations of the exception in Section R327.1.

Question 5:

If the structure meets all of the limitations in the exception in Section R327.1, does the structure still require handrails or guardrails? If not, when are handrails and guardrails required?

Answer:

No. Structures meeting all of the limitations of the exception are not subject to any other minimum code requirements.

If the structure exceeds the limitations of the exception, then compliance with Chapter 36 of the NC Building Code is required. Section 3606.6 requires guardrails for private waterfront piers and docks to be a minimum of 36 inches high and shall prevent the passage of a 21 inches sphere when the normal pool water level exceeds 8 feet.

Question 6:

If the structure meets all of the limitations in the exception in Section R327.1, does the structure have to be constructed to meet commentary Figures 1-3?

Answer:

No. Structures meeting all of the limitations of the exception are not subject to any other minimum code requirements. The commentary figures are not part of the code language, therefore, they are there for guidance only based on standard construction practices.

Question 7:

Section R327.1 exception 1, item 1.6 restricts non-walkway areas to 576 sq. ft. Section R327.1, exception 1, item 1.8 restricts roof area to 576 sq. ft. with additional 2 ft. overhang and seems to make reference to a roof over a boat slip. Are these two sections “additive” for a pier design with multiple elements of walkways and boat slips?

Answer:

The sections are applied individually. If the allowed non-walkway area is not covered, then the walkway area could be covered as long as the total covered area does not exceed 576 sq. ft.

Question 8:

For roofs over walkway areas not exceeding six (6) feet in width, would there be a roof area limitation?

Answer.

Yes. Roofed area is limited to 576 sq. ft. by exception 1, item 1.8.

Question 9:

Are pier segments not exceeding six (6) feet in width considered “walkway” and not limited in area?

Answer.

Yes. They are considered walkway and not limited in area.

Question 10:

Piers and docks meeting the limitations of the exception in Section R327.1 are not required to be accessible, however, are private piers and docks that exceed the limitations of the exception in Section R327.1 and are subject to the requirement of Chapter 36 of the NC Building Code required to be accessible?

Answer:

Private waterway structures located on the property of a one- or two- family dwelling are not required to be accessible. Accessibility requirements in Chapter 11 of the NC Building Code would apply to any waterway structure shared by more than one property owner.

Question 11:

A lake entity requires floating docks on all lake projects, therefore, a hinged ramp between the fixed pier and floating dock is necessary. Does repair or replacement of hinge assembly hardware and bolts constitute a “repair of load bearing structure” with respect to the requirement for a permit as addressed by G.S. § 143-138(b5)?

Answer:

No. Hinge replacement would fall under the general application of G.S. § 143-138(b5) and not be subject to a permit unless the cost exceeded \$15,000. See also the answer to Question 3.

Keywords:

Finger piers, crosswalks, boat slip, pile spacing, boatlift