25 August 2004

Mr. Dan Tingen
Tingen Construction Company
8411 Garvey Drive / #101
Raleigh, NC 27616

RE: Agenda for the September 14, 2004 Building Code Council Meeting

Dear Dan:

This is to officially notify you and other interested parties of a regularly scheduled meeting of the Building Code Council. The September Building Code Council meeting will be held at the Hickory Metro Convention Center, 1960 13th Avenue Drive, SE, Hickory, NC 28602. Persons requiring auxiliary aids or service should notify the Council at least ten (10) working days prior to the meeting.

1. The Work Session will begin at 9:00AM on Monday, September 13, 2004 and is open to the public on a non-contributing basis.
2. Committees will meet at the close of the Work Session.
3. The Public Hearing will begin at 1:00PM on Monday, September 13, 2004. The Council will receive testimony at this time.
4. The Electrical Committee will continue after the close of the Public Hearing.
5. The Building Code Council meeting will begin at 9:00AM on Tuesday, September 14, 2004.
6. Appeals will be heard after the close of the meeting.

Part A – Administrative Items
The following Administrative items have been received since the last Council meeting. These items require Council action but are not subject to the Rulemaking process.

Item A-1 **Approval of minutes from the June 8, 2004 Building Code Council Meeting.**

Item A-2 **Approval of minutes from the July 21, 2004 Building Code Council Meeting.**

Item A-3 **Request by City of High Point for authority to review plans and specifications for buildings as listed in section 502.2.3 of the North Carolina Administration and Enforcement Code.**

Item A-4 **Request by Wilkes County to approve an amendment to the local Fire Code concerning Explosive Materials.**

Item A-5 **Other Administrative Items**

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 to the Rulemaking process. The Council may send any Petition to the appropriate committee for review. The hearing will take place December 13, 2004.

Item B-1 **Request by NCBIA to modify the NC Building Code as follows:**

1003.3.1.8 Locks and Latches. Egress doors shall be readily openable from the egress side without the use if a key or special knowledge of effort.

Exceptions

1. Places of detention or restraint
2. In buildings in occupancy Group A having an occupant load ~~300~~ less than 100, Groups B, F, M and S, ~~and in churches~~ the main exterior door or doors are permitted to be equipped with key operated locking devices from the egress side provided:

    2.1 The locking device is readily distinguishable as locked and provided with a key that cannot be removed when the door is locked from the inside.

This brings the section in line with the requirements for panic hardware in section 1003.3.1.9.

Item B-2 **Request by NCBIA to modify the NC Residential Code as follows:**

R318.3 Specific approval. Plastic foam not meeting the requirements of Sections R318.1 and R318.2 may be specifically on the basis of one of the following approved tests: ~~ASTM E 84~~, FM 4880, UL 1040, ASTM E 152, or UL 1715, or fire tests related to actual end-use configurations. The specific approval may be based on the end use, quantity, location and

similar considerations where such tests would not be applicable or practical.

Item B-3 Request by NC Fire Service Code Revision Committee to modify the NC Fire Prevention Code as follows:

804.1.1 Restricted occupancies. Natural cut trees shall be prohibited in Group A, E, I-I, I-2, I-3, I-4, M, R-1, R-2, and R-4 occupancies.

Exceptions

1. Trees located in areas protected by an approved automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2 shall not be prohibited in Groups A, E, M, R-1 and R-2.
2. *In religious assembly occupancies when in the opinion of the Fire Official adequate safeguards have been taken treated natural cut Christmas trees are permitted. The tree shall be treated and maintained flame resistant in accordance with the test protocol listed in Appendix H.*
3. *Trees shall be permitted within dwelling units in Group R-2 occupancies.*

Item B-4 Request by Tim McLaughlin to modify the NC Mechanical Code as follows:

1301.2 Permits. Fuel-oil storage systems shall comply with the International Fire Code. Fuel-oil piping systems shall comply with the requirements of this code.

Exception: Fuel-oil storage tanks for one- and two-family dwellings and townhouses shall comply with Section 1309.

Section 1309 Oil tanks for one- and two-family dwellings and townhouses.

1309.1 Materials. Supply tanks shall be listed and labeled and shall conform to UL 142 for aboveground tanks, UL 58 for underground tanks, and UL 80 for inside tanks.

1309.2 Above-ground tanks. The maximum amount of fuel oil stored above ground or inside of a building shall be 660 gallons (2498 L). The supply tank shall be supported on rigid noncombustible supports to prevent settling or shifting.

1309.2.1 Tanks with buildings. Supply tanks for use inside of buildings shall be of such size and shape to permit installation and removal from dwellings as whole units. Supply tanks larger than 10 gallons (38 L) shall be placed not less than 5 feet (1524 mm) from any fire or flame either within or external to any fuel-burning appliance.

1309.2.2 Outside above-ground tanks. Tanks installed outside above ground shall be a minimum of 5 feet (1524 mm) from an adjoining property line. Such tanks shall be suitably protected from the weather and from physical damage.
1309.3 Underground Tanks. Excavations for underground tanks shall not undermine the foundations of existing structures. The clearance from the tank to the nearest wall of a basement, pit or property line shall not be less than 1 foot (305 mm). Tanks shall be set on and surrounded with noncorrosive inert materials such as clean earth, sand or gravel well tamped in place. Tanks shall be covered with not less than 1 foot (305mm) of earth. Corrosion protection shall be provided in accordance with section 1309.8.

1309.4 Multiple tanks. Cross connection of two supply tanks shall be permitted in accordance with Section 1309.7.

1309.5 Oil Gauges. Inside tanks shall be provided with a device to indicate when the oil in the tank has reached a predetermined safe level. Glass gauges or a gauge subject to breakage that could result in the escape of oil from the tank shall not be used.

1309.6 Flood-resistant installation. In areas prone to flooding as established by Table R301.2(1) of the International Residential Code, tanks shall be installed at or above the design flood elevation established in Section R327 of the International Residential Code or shall be anchored to prevent flotation, collapse and lateral movement under conditions of the design flood.

1309.7 Cross connection of tanks. Cross connection of supply tanks, not exceeding 660 gallons (2498 L) aggregate capacity, with gravity flow from one tank to another, shall be acceptable provided that the two tanks are on the same horizontal plane.

1309.8 Corrosion protection. Underground tanks and buried piping shall be protected by corrosion resistant coatings or special alloys or fiberglass-reinforced plastic.

Item B-5 Request by NCBIA to modify the 2003 International Building Code as follows:

707.14.1 Elevator lobby. An elevator~~s opening into a fire-resistance-rated corridor as required by Section 1016.1~~ lobby shall be provided ~~with an elevator lobby~~ at each floor ~~containing such a corridor~~ where an elevator shaft enclosure connects more than three stories. The lobby shall separate the elevator~~s~~ shaft enclosure doors from ~~the corridor~~ each floor by fire partitions and the required opening protection. Elevator lobbies shall have at least one means of egress complying with Chapter 10 and other provisions within this code.

Exceptions:
1. (No change to current text)

2. Elevators not required to be located in a shaft enclosure in accordance with Section 707.2.
3. (No change to current text)
4. In other than Group I-3, and buildings having occupied floors located more than ~~four stories~~ 75 feet above the lowest level of fire department vehicle access, lobby separation is not required where the building~~, including the lobby and corridors leading to the lobby,~~ is protected by an automatic sprinkler system installed ~~throughout~~ in accordance with Section 903.3.1.1 or 903.3.1.2.
5. Smoke partitions shall be permitted to separate the elevator lobby at each floor where the building is protected by an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
6. Elevator lobbies are not required provided that the elevator shaft enclosure is pressurized in accordance with Section 909.20.5.

Item B-6 Other Petitions:

Part C – Notice of Rulemaking Proceedings and Public Hearing
The attached Petitions for Rulemaking have been granted by the Council. Notice of Rulemaking proceedings and Public Hearing has been made. The Public Hearing will be held December 13, 2004 and the Final Adoption meeting will take place on or after December 14, 2004. No further action is required by the Council at this time.

Part D – Hearing and Final Adoption
The following Petitions for Rulemaking have been granted by the Council. Notice of Rule Making proceedings and Public Hearing has been made. The Public Hearing will be held September 13, 2004 and the Final Adoption meeting will take place on September 14,2004. The Council will give no further consideration to Petitions that are disapproved. Petitions that are approved will proceed through the Rule Making process.

Item D-1 Item D-1 Add definitions to section R202 of the North Carolina Residential Code as follows:

> **"Dampproofing.** A coating or the application of coatings applied that is intended to prevent the penetration of water vapor and moisture through or into wall or into interior spaces".
>
> **"Waterproofing.** A coating or application of coatings applied that is intended to prevent the penetration of water under hydrostatic pressure through or into walls or into interior spaces".

This code change is proposed for clarification. This item was referred to the Residential Committee for further study. The Committee recommends for the following wording:

> **"Dampproofing.** A coating or the application of coatings applied ~~that is intended~~ to prevent the penetration of water vapor and moisture through or into walls or into interior spaces".

"Waterproofing. A coating or application of coatings applied ~~that is intended~~ to prevent the penetration of water under hydrostatic pressure through or into interior spaces".

Item D-2 Add new sections regarding closed crawl spaces in the North Carolina Residential Code.

This code change is proposed to allow for alternate systems of crawl spaces without natural ventilation. This item was referred to the Residential Committee for further study. The committee recommends the attached wording.

Item D-3 Include reference to the DASMA garage door wind load guide in the North Carolina Residential Code:

This code change is proposed for cross reference. This item was referred to the Residential Committee for further study. The Committee recommends for the following change Table 301.2(4), note 1 and Table 4402(b), note 2:

Alternate design pressures may be determined by using the North Carolina State Building Code General Construction, ASCE 7-98, DASMA Technical Data Sheet 115h (for garage doors), or the 2000 International Building Code.

Item D-4 Request by NCDOI staff to adopt the 2005 NEC, including the amendments from the 2002 NC Electrical Code. [Hearing only]

A letter and package were delivered to OSBM on August 6, 2004 to request a fiscal note.

Item D-5 Request to add a new Section 102.5 in the Administrative Code and in the scoping provisions of all other codes to notify owners, designers, contractors, and licensees that other agencies, boards, and commissions may have additional minimum construction requirements for licensure. [Hearing only]

102.5 Requirements of other State agencies, occupational licensing boards, or commissions. The North Carolina State Building Codes do not include all additional requirements for buildings and structures that may be imposed by other State agencies, occupational licensing boards, and commissions. It shall be the responsibility of a permit holder, design professional, contractor, or occupational license holder to determine whether any additional requirements exist.

Item D-6 Request to revise Table 403.1 in the North Carolina Plumbing Code as follows:

Table 403.1 Minimum number of plumbing facilities.

Footnote #26:
26. For health clubs, dance studios, and similar facilities, the number of persons equals the activity floor area divided by ~~30~~ 50 with the female-male ratio 50%-50%. Drinking fountains 1 per 75 persons.

Item D-7 Request to revise table 403.1 in the North Carolina Plumbing Code as follows:

Table 403.1 Minimum number of plumbing facilities.

Footnote #26:
26. For health clubs, dance studios, college recreational gymnasiums exclusive of seating areas, and similar facilities, the number of persons equals the activity floor area divided by 30 with the female-male ratio 50%-50%. Drinking fountains 1 per 75 persons.

Item D-8 Revise Section 503.3.3.4.2 in the NC Energy Conservation Code as follows:

503.3.4.3 Low-Pressure Duct Systems

Low pressure return ducts, located in unheated crawl space, shall be leak tested in accordance with SMACNA HVAC Air Duct Leakage Test Manuel with the rate of air leakage not to exceed the maximum rate specified in the standard. All longitudinal and transverse…

This Code change is proposed to provide a referenced standard for duct testing.

Item D-9 Add a new section R403.1.6 in the North Carolina Residential Code as follows:

R403.1.6 (in part) The *wood sole plate at exterior walls on monolithic slabs and wood sill plates shall be anchored to the foundation with anchor bolts spaced a maximum of 6 feet on center and not more than 12 inches from the corners.* ~~*Anchor bolts shall also be located within 12 inches from the ends of each plate section.*~~ *In Seismic Design Categories D1 and D2, anchor bolts…*

This Code change is proposed to simplify the anchorage requirements.

Item D-10 Add the following to table R602.10.3 of the North Carolina Residential Code:

Footnote: c Braced wall panels, assembled in accordance with Section R602.10.3, Method 3, with wood structural panel sheathing on both sides, may be used to reduce the panel lengths shown by 50%.

This Code change is proposed to allow braced wall construction.

Item D-11 Add new item (5) to section 700.9 (B) of the North Carolina Electrical Code as follows:

(B) Wiring. Wiring of two or more emergency circuits supplied from the same source shall be permitted in the same raceway, cable box, cabinet. Wiring from an emergency source or emergency source distribution overcurrent protection emergency loads shall be kept entirely independent of all other wiring and equipment, unless otherwise permitted in (1 through 4 5):

(1) Wiring from the normal power source located in transfer equipment enclosure
(2) Wiring from two sources in exit or emergency luminaries (lighting fixtures)
(3) Wiring from two sources in common junction box, attached to exit or emergency luminaries (light fixtures)
(4) Wiring within a common junction box attached to unit equipment, containing only the branch circuit supplying the unit equipment and the emergency circuit supplied by the unit equipment.
(5) Wiring consisting of feeders from one or more alternate power source(s) supplying an alternate power source distribution board with overcurrent protective devices, feeding separate transfer equipment for each type of load served (emergency, legally required standby and optional standby), provided the feeder wiring from alternate power source distribution board to each load's transfer equipment is kept entirely independent of all other wiring.

This code change is proposed to allow feeders from an alternate power source distribution board.

Part E – Reports

Building Code Council Standing Committee Reports

Item E-1 Administrative Committee

Ad Hoc and Commentary Committee Reports

Item E-2 Committee Reports and Meeting Dates

2003 International Building Code Committee (Chapters 1 -15)
Chairman, Butch Simmons
Meeting: Thursday, September 2, 2004, 9:00AM

2003 International Building Code Committee (Chapters 16 – end of book)
Chairman, Tom Avery
No meeting scheduled at this time.

2005 National Electrical Code Committee
Chairman, Lon Culbertson
Meeting: Monday, September 13, 2004
Location: Hickory Metro Convention Center, Hickory, NC

2003 International Energy Conservation Code Committee
Chairman, Tom Turner
Meeting: Wednesday, September 22, 2004

2003 International Existing Building Code Committee
Chairman, John Hitch

Report Items:
1. Retain 1995 Volume IX, Existing Buildings Code for use along with Chapter 34
2. Submit recommended changes through the IBC process.
3. Postpone adoption of IEBC until 2008.
4. Make interim changes to the 1995 Existing Building Code
5. Clarify that retroactive application of building codes is not legal.

2003 International Fire Prevention Code Committee
Chairman, Alan Perdue
No meeting scheduled at this time.

2003 International Fuel Gas Code Committee
Chairman, Terry Greene
Meeting: Thursday, August 19, 2004; Wednesday, October 6, 2004; Wednesday, November 10, 2004; Wednesday, December 1, 2004; Wednesday, January 12, 2005; Wednesday, January 26, 2005; and Wednesday, February 9, 2005
(Note: Meeting times are subject to change.)

2003 International Mechanical Code Committee
Chairman, Al Bass
Meeting: Wednesday, September 8, 2004

2003 International Plumbing Code Committee

Chairman, Al Bass
Meeting: Wednesday, September 1, 2004

2003 International Residential Code Committee
Chairman, Marshall Knight
No meeting scheduled at this time.

*** All International Code Committee meetings will begin at 9:00AM and will be held at the NC Department of Insurance located at 322 Chapanoke Road, Suite 200, Raleigh, NC 27603 unless otherwise posted ***

Staff Reports

Other Reports

Part F – Appeals
The following Appeals have been scheduled since the last Council meeting. These Appeals require Council hearing and action but are not subject to the Rulemaking process.

Item F1 Quality Built Homes vs. Village of Pinehurst

This appeal questions whether the Fire Code, Appendix B is adopted properly.

Item F2 Glaze Construction vs. NCDOI and Catawba County
This appeal is over the applicability of Section R301.2.2, seismic provisions, to a Townhouse building that only contains 2-dwellings.

Item F3 Bald Head Island Limited vs. NCDOI and Bald Head Island
This appeal is over the applicability of the fire separation distance in Section R302, location on lot, to a boardwalk that connects 2-or-more dwellings.

Sincerely,

Barry Gupton, PE
Secretary