

November 17, 2006

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

RE: Agenda for the December 11-12, 2006 NC Building Code Council Meeting.

Mr. Tingen:

This is officially to notify you and other interested parties of a regularly scheduled meeting of the NC Building Code Council. The December NC Building Code Council meeting will be held at the North Raleigh Hilton, 3415 Wake Forest Road, Raleigh, NC 27609. Persons requiring auxiliary services should notify the Council at least ten business days prior to the meeting.

1. The Work Session will begin at 9:00AM on Monday, December 11, 2006 and is open to the public on a noncontributing basis.
2. The Public Hearing will begin at 1:00PM on Monday, December 11, 2006. The Council will receive comments at this time. At the close of the hearing, committees may meet.
3. The NC Building Code Council meeting will begin at 9:00AM on Tuesday, December 12, 2006. At the close of the meeting, appeals will be heard.
4. The ZF Lemforder appeal hearing will continue following the Monday, December 11, 2006 Work Session, Public Hearing and Tuesday, December 12, 2006 Council Meeting as necessary.

#### **Part A – Administrative Items**

**Item A – 1 Executive Order: Inquire upon conflicts of interest or appearance of conflicts of interest that exist within the Council.**

**Item A – 2 Approval of minutes of the September 12, 2006 NC Building Code Council Meeting.**

**Item A – 3 Ethics Liaison – In accordance with the attached session law, each board needs to assign a member of their committee to work as a liaison between their board and the ethic’s commission.**

**Item A – 4 Request by Ricky Blackmon, Town of Holly Springs, for authority to review plans and specifications of buildings using requirements listed in the NC Administration and Enforcement Code.**

**Item A – 5 Hillsborough request for adoption of ordinance article 1 interference with fire fighting activities; article 2 fire prevention; article 3 miscellaneous.**

**Item A – 6 Carrboro request for adoption of the current fire code with additional ordinances.**

**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 on or after March 12, 2007.

**Item B – 1 Request by Lon McSwain, to amend the 2006 NC Building and Fire Codes to address opening limitations. The proposed amendment is as follows:**

1012.3 Opening Limitations. Open guards shall have ballisters or ornamental patterns such that a 4-inch-diameter (102mm) sphere cannot pass through any opening up to a height of 34 inches (864 mm) from a height of 34 inches (864mm) to 42 inches (1067mm) above the adjacent walking surfaces, a sphere 8 inches (203mm) in diameter shall not pass. A bottom rail or curb shall be provided that will reject the passage of a 2 inch (51mm) diameter sphere.

**Item B – 2 Request by Terry Hatcher, Department of Health and Human Services Division of Child Development, to amend the 2006 NC Building and Fire Codes, Section 907.2.3. The proposed amendment is as follows:**

Exceptions:

1. Group E occupancies with an occupant load of less than 50, unless the occupancy is a child care center licensed by the

**Item B – 3 Request by John Hitch, AIA, Smith Sinnett Architecture to amend the 2006 NC Plumbing Code, Sections 403.2 and 405.3.2 to permit K-12 lavatories in corridors.**

**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 will be held December 11, 2006 and the Final Adoption meeting may take place on or after March 13, 2007.

**Item C – 1 Request by John Hitch, NCBCCC, to amend the 2006 NC Building and Fire Codes, Section 903.2.1.2, condition 2 from “100” to “300” occupants.**

**903.2.1.2 Group A-2.** An automatic sprinkler system shall be provided for Group A-2 occupancies where one of the following conditions exists:

1. The fire area exceeds 5,000 square feet (464.5 m<sup>2</sup>).
2. The fire area has an occupant load of ~~100~~ 300 or more.
3. The fire area is located on a floor other than the level of exit discharge.

**Item C – 2 Request by Wallace Cole, Winston-Salem Inspections to amend the 2006 NC Plumbing Code, Section 417.5.2 to delete the requirement to slope the shower liner.**

**417.5.2 Shower lining.** Floors under shower compartments, except where prefabricated receptors have been provided, shall be lined and made water tight utilizing material complying with Sections 417.5.2.1 through 417.5.2.4. Such liners shall turn up on all sides at least 2 inches (51 mm) above the finished threshold level. Liners shall be recessed and fastened to an approved backing so as not to occupy the space required for wall covering, and shall not be nailed or perforated at any point less than 1 inch (25.4 mm) above the finished threshold. Liners shall be ~~pitched one fourth unit vertical in 12 units horizontal (2 percent slope) and shall be sloped toward the fixture drains and~~ be securely fastened to the waste outlet at the seepage entrance, making a water-tight joint between the liner and the outlet.

**Exception:** Floor surfaces under shower heads provided for rinsing laid directly on the ground are not required to comply with this section.

## **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 11 2006. The Final Adoption meeting will take place on December 12, 2006. The Council will give no further consideration to Petitions that are disapproved. Petitions that are approved will proceed through the Rulemaking process.

### **Part D – 1 Request by the Special Inspections Ad Hoc Committee to amend the 2006 NC Building Code and Administrative Code requirements for special inspections.**

Ted Partrick spoke on behalf of the Ad Hoc Committee. He reminded the Council that this proposal is a consensus recommendation from the Committee. He stated that the first sentence of Section 1704.1, General needs to be amended to the 2003 IBC language (as revised below). The Rules Review Staff opinion is that this modification is not substantive.

#### **2006 NC Building Code 1704 Special Inspections**

**1704.1 General.** Where application is made for construction as described in this section, ~~the building official, at the official's discretion, may require~~ the owner to or the registered design professional in responsible charge acting as the owner's agent shall employ one or more special inspectors to provide inspections during construction on the types of work listed under Section 1704 per Section 1704.1.2. The special inspector shall be a qualified person who shall demonstrate competence, to the satisfaction of the building official, for inspection of the particular type of construction or operation requiring special inspection. These inspections are in addition to the inspections specified in the *North Carolina Administrative Code and Policies*.

#### **Exceptions:**

- ~~1. Special inspections are not required for work of a minor nature or as warranted by conditions in the jurisdiction as approved by the building official.~~
- ~~2. Special inspections are not required for building components unless the design involves the practice of professional engineering or architecture as defined by applicable state statutes and regulations governing the professional registration and certification of engineers or architects.~~
- ~~3. Unless otherwise required by the building official, special inspections are not required for occupancies in Group R-3 as~~

~~application in 101.2 and occupancies in Group U that are accessory to a residential occupancy including, but not limited, those listed in 312.1~~

**1704.1.1 Building permit requirement.** The permit applicant shall submit a statement of special inspections prepared by the registered design professional in responsible charge in accordance with Section 106.1 as a condition for permit issuance. This statement shall include a complete list of materials and work requiring special inspections by this section, the inspections to be performed and a list of the individuals, approved agencies or firms intended to be retained for conducting such inspections.

**1704.1.2 Special Inspections requirement.**

Special inspections per Section 1704 are required for building, building components or other structures per the following:

1. Buildings or other structures listed in Table 1604.5 in category II if:
  - a. Building height exceeds 45 feet or three stories, or
  - b. The building is an Underground buildings per 405.1;
2. Buildings or other structures listed in table 1604.5 in categories III or IV;
3. Piles, piers and special foundations;
4. Retaining walls exceeding 5 feet height per 1610.3;
5. Smoke control and smoke exhaust systems;
6. Sprayed fire-resistant materials; or
7. Special case described in 1704.13.

**1704.1.3 Report requirement.** Special inspectors shall keep records of inspections. The special inspector shall furnish inspection reports to the building official, and to the registered design professional in responsible charge. Reports shall indicate that work inspected was done in conformance to approved construction documents. Discrepancies shall be brought to the immediate attention of the contractor for correction. If the discrepancies are not corrected, the discrepancies shall be brought to the attention of the building official and to the registered design professional in responsible charge prior to the completion of that phase of the work. A final report of inspections documenting required special inspections and correction of any discrepancies noted in the inspection shall be submitted periodically at a frequency agreed upon by the permit applicant and the building official prior to the start of work.

**2006 NC Administrative Code**  
**107.5 Special Inspections**

**107.5 Special Inspections.** Special inspections required by the building code or the building inspector shall be performed by a NC

registered design professional or a qualified inspector under their responsible charge.

## **Part E – Reports**

### **Building Code Council Standing Committees**

**Fire Committee - ISO Concern – Alan Perdue expressed concern over the ISO building code efficiency grade and the NC Building Code**

### **Ad Hoc Committees**

### **Chairman’s Report**

### **Staff Report**

**Listserv – New E-mail sign up installed on NCDOI Webpage.**

## **Part F – Appeals**

### **Item F – 1 ZF Lemforder**

Sincerely,

Chris Noles  
Interim Secretary, NC Building Code Council