

North Carolina Building Code Council

Staffed by the NC Department of Insurance

1202 Mail Service Center
Raleigh, NC 27699-1202

Wayne Goodwin, Commissioner
Christian Noles, PE, Secretary

322 Chapanoke Road, Suite 200
Raleigh, NC 27603

(919) 661-5880
(919) 662-4414 Fax

Building Code Council

Chairman:

Dan Tingen -11
(Home Builder)

May 4, 2009

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

Vice Chairman:

John Hitch, AIA -10
(Architect)

Members:

J. Albert Bass, Jr., PE - 09
(Mechanical Engineer)

Cynthia M. Browning, PE - 11
(State Agency)

Ralph Euchner - 13
(Gas Industry)

Steve L. Knight, PE -09
(Structural Engineer)

Paula Strickland -13
(Mechanical Contractor)

Ed Moore - 13
(Electrical Contractor)

Jack F. Neel -10
(Municipal-Gov't Rep)

Mack Nixon -10
(County Gov't Rep)

Alan W. Perdue -09
(Fire Services)

Kim Reitterer - 13
(Electrical Engineer)

Robert F. Ruffner, Jr. -09
(General Contractor)

Walter L. Simmons -09
(Building Inspector)

David L. Smith -10
(Coastal Contractor)

Tom Turner, FAIA -10
(Architect)

Hawley Truax -11
(Public Representative)

RE: Agenda for the June 8-9, 2009 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 June NC Building Code Council meeting will be held at the NC Department of Insurance, OSFM, 322 Chapanoke Road, Raleigh, North Carolina, 27603, in the downstairs classroom. Persons requiring auxiliary services should notify the Council at least ten business days prior to the meeting.

1. The Work Session will begin at 10:00AM on Monday, June 8, 2009 and is open to the public on a noncontributing basis. At the close of the Work Session, Committees may meet.
2. The Public Hearing will begin at 1:00PM on Monday, June 8, 2009. The Council will receive comments for the items marked as "C" at this time. At the close of the hearing, committees may meet.
3. The Residential Standing Committee will meet at the close of the Public Hearing.
4. The NC Building Code Council meeting will begin at 10:00AM on Tuesday, June 9, 2009. Scheduled appeals, if any, will be heard at the close of the meeting.

Part A – Administrative Items

Item A – 1 Ethics Statement: Inquire upon conflicts of interest or appearance of conflicts of interest that exist within the Council.

Item A – 2 Approval of minutes of the March 10, 2009 NC Building Code Council Meeting.

Item A – 3 Letter to Governor Perdue in reference to the American Recovery and Reinvestment Act.

Item A – 4 Request by Nick Smith, City of Boiling Spring Lakes, to revise its Standards of the Code of Ordinances, Chapter 4, Article III.

Sec. 4-122. Compliance.

(e) All new and remodeled commercial buildings exceeding fifty (50%) of the current tax value of the building and that either exceed 12,000 square feet of building area or that are two or more stories in height shall have an automatic fire sprinkler system.

Item A – 5 Request by Marjorie Meares, to speak to the Council on behalf of Mathis Consulting Company.

Item A – 6 Discussion of changing the NCSBC to a 6 year cycle in lieu of 3 years, except for emergency items.

Item A – 7 Rules Review Commission Meeting Report

Item A – 8 Public Comments

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 during or after the September 2009 meeting.

Item B – 1 Request by John Hitch, AIA, to amend the 2009 NC Building Code. The proposed amendment is as follows:

2007 ICC Supplement language:

1007.3 Exit stairways. In order to be considered part of an accessible means of egress, an exit stairway shall have a clear width of 48 inches (1219 mm) minimum between handrails and shall either incorporate an area of refuge within an enlarged floor-level landing or shall be accessed from either an area of refuge complying with Section 1007.6 or a horizontal exit.

Exceptions:

1. The area of refuge is not required at unenclosed interior exit stairways as permitted by Section 1020.1 in buildings or facilities that are equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
2. The clear width of 48 inches (1219 mm) between handrails is not required at exit stairways in buildings or facilities equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
3. Areas of refuge are not required at exit stairways in buildings or facilities equipped throughout by an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
4. The clear width of 48 inches (1219 mm) between handrails is not required for exit stairways accessed from a horizontal exit.
5. Areas of refuge are not required at exit stairways serving open parking garages.
6. Areas of refuge are not required for smoke protected seating areas complying with Section 1025.6.2.
7. The areas of refuge are not required in Group R-2 occupancies.

Item B – 2 Request by Kent Halstead, to amend the 2009 NC Building Code. The proposed amendment is as follows:

For 2009 North Carolina Building Code, insert the following 1503.2.2 **Overhangs and Drip edge flashing** between Code 1503.2.1 **Locations** and 1503.3 **Cpoing**.

1503.2.2 Overhangs and Drip edge flashing

Overhangs should be at least 12 inches wide. Drip edge flashing should be installed at the roof edge to keep water from wicking back under the shingles.

(Additional details may be added as technical studies of North Carolina related to drip edge may dictate. See, for example additions, Florida 1507.2.9.3.)

Item B – 3 Request by Tom Hunter, Jr., to amend the 2009 NC Building Code and the 2009 NC Fire Code. The proposed amendment is as follows:

Amend the 2009 NC State Building Code as follows:

Section 202. Add the following definition:

Cooperative Innovative High School Program. A program in excess of the required curriculum for high school students in attendance at a college, community college or university.

Section 304.1. Add the following to the list of Group B occupancies:

Education occupancies for high school students participating in Cooperative Innovative High School Programs taught at colleges, community colleges or universities.

Section 305.1. Amend by adding the following underlined text:

305.1 Educational Group E. Educational Group E occupancy includes, among others, the use of a building or structure, or a portion thereof, by six or more persons at any one time for educational purposes through the 12th grade. Religious educational rooms and religious auditoriums, which are accessory to places of religious worship in accordance with Section 508.3.1 and have occupant loads of less than 100, shall be classified as A-3 occupancies. Education occupancies for high school students participating in Cooperative Innovative High School Programs taught at colleges, community colleges or universities shall be classified as Group B occupancies.

Amend the 2009 NC State Fire Code as follows:

Amend Ch. 2 definitions by including the first two changes above.

Amend Table 405.2 as follows:

**TABLE 405.2
FIRE AND EVACUATION DRILL
FREQUENCY AND PARTICIPATION**

| GROUP OR OCCUPANCY | FREQUENCY | PARTICIPATION |
|---------------------|-------------------------|----------------------|
| Group A | Quarterly | Employees |
| Group Bc | Annually | Employees |
| <u>Group Be</u> | <u>Quarterly</u> | <u>All occupants</u> |
| Group E | Monthly | All occupants |
| Group I | Quarterly on each shift | Employees |
| Group R-1 | Quarterly on each shift | Employees |
| Group R-2d | Four annually | All occupants |
| Group R-4 | Quarterly on each shift | Employees |
| High-rise buildings | Annually | Employees |

- a. The frequency shall be allowed to be modified in accordance with Section 408.3.2.
- b. Fire and evacuation drills in residential care assisted living facilities shall include complete evacuation of the premises in accordance with Section 408.10.5. Where occupants receive habilitation or rehabilitation training, fire prevention and fire safety practices shall be included as part of the training program.
- c. Group B buildings having an occupant load of 500 or more persons or more than 100 persons above or below the lowest level of exit discharge.
- d. Applicable to Group R-2 college and university buildings in accordance with Section 408.3.
- e. Cooperative Innovative High School Programs taught at colleges, community colleges or universities when required to have a fire alarm system in accordance with Section 907.2.2 or as required in accordance with Section 404.2.

Item B – 4 Request by Robert Wydra, with A Safe Child, to amend the 2009 NC Residential Code. The proposed amendment is as follows:

Add a new AG105.2 Item 9.3:

9.3 Mesh pool fencing that complies with ASTM F2286-05.

Change current ~~9.3~~ to 9.4 and last line to “9.1, 9.2 or 9.3 described above”.

*Gives homeowners with pools another option for barrier protection when walls of a dwelling are part of the required barrier. This will prevent having to place alarms on doors or retractable safety cover over pool area but will provide an equal level of prescriptive protection. This only applies to wall applications (with openings) that are being used as part of the barrier, not the barrier required around a yard.

Item B – 5 Request by John A. Hyman, to amend the 2006 NC Rehabilitation Code. The proposed amendment is as follows:

Add footnote to Table C Change of Use

- a. When change of use is Daycare using Occupancy E as an Exception, the following requirements in 1.31.c.2 shall be included.

Item B – 6 Request by Michael G. Huslage, AIA, to amend the 2009 NC Administrative Code. The proposed amendment is as follows:

APPENDIX F

- A standard new form required for all projects stating Special Inspections are (or are not) required for all projects in North Carolina.
- www.meck-si.com “Statement and Schedule of Special Inspections Form” may serve as an initial version of “Appendix F” (Copy attached)

Item B – 7 Request by Lon McSwain, Mecklenberg County, to amend the 2009 NC Building Code. The proposed amendment is as follows:

ASCE/SEI

7/05 Minimum Design Loads for Buildings and Other Structures Including Supplement No. 1 and Supplement No. 2 and excluding Chapter 14 and Appendix 11A...

Item B – 8 Other Petitions for Rulemaking.

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 June 8, 2009 and the Final Adoption meeting may take place on or after September 15, 2009.

Item C – 1 Request by Lon McSwain, to amend the 2009 NC Building Code. The proposed amendment is as follows:

1009.11 Stairway to roof. In buildings located four or more stories in height above grade plane, one stairway shall extend to the roof surface, unless the roof has a slope steeper than four units vertical in 12 units horizontal (33 percent slope). In buildings without an occupied roof, access to the roof from the top story shall be permitted to be by an alternating tread device or a ships ladder meeting the following, a pitch of 60 to 75 degrees, width of 30” to the outside of the handrails, tread depth of 5 3/16”, riser height of 9 ½” to 12”, 1 ¼” pipe handrail. The height between the top landing of the stair and the roof shall not exceed 20’-0”.

Item C – 2 Request by Jeff Soechting, Ward Manufacturing, Inc., to amend the 2009 NC Fuel Gas Code. The proposed amendment is as follows:

310.2 CSST Gas piping systems shall be bonded to the electrical service grounding electrode system at the point where the gas service enters the building. The bonding jumper shall not be smaller than 6 AWG copper wire or equivalent.

Item C – 3 Request by David Gardner, City of Charlotte, to amend the 2009 NC Building Code. The proposed amendment is as follows:

[F] 903.2.7 Group R. An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R fire area.

Exception: An automatic sprinkler system is not required in ~~Group R-3 and R-4 adult and child day care facilities~~ new adult and child care facilities in existing Groups R-3 and R-4 occupancies.

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 March 10, 2009. The Final Adoption meeting will take place on June 9, 2009. The Council will give no further consideration to Petitions that are disapproved. Petitions that are approved will proceed through the Rulemaking process.

Item D – 1 Request by Al Bass, on behalf of the Plumbing Ad-Hoc Committee, to amend the 2009 NC Plumbing Code. The proposed amendment is as follows:

901.2.1 Venting required. Every trap and trapped fixture shall be vented in accordance with one of the venting methods specified in this chapter. All fixtures discharging downstream from a water closet shall be individually vented except as provided in Section 911.

Item D – 2 Request by Al Bass, on behalf of the Plumbing Ad-Hoc Committee, to amend the 2009 NC Plumbing Code. The proposed amendment is as follows:

DELETE:

**SECTION C103
SUBSURFACE LANDSCAPE IRRIGATION SYSTEMS**

DELETE:

**FIGURE 1
GRAY WATER RECYCLING SYSTEM FOR SUBSURFACE LANDSCAPE IRRIGATION**

Item D – 3 Request by Dan Tingen, Chair, to amend the 2008 NC Electrical Code. The proposed amendment is as follows:

210.12 Arc-Fault Circuit-Interrupter Protection. (AFCI)

(B) Dwelling Units: All 125-volt, single phase, 15- and 20-ampere branch circuits supplying outlets installed in dwelling unit ~~family rooms, dining rooms, living rooms, parlors, libraries, dens, bedrooms, sunrooms, recreation rooms, closets, hallways, or similar rooms or areas~~ shall be protected by a listed arc-fault circuit interrupter, combination-type installed to provide protection of the branch circuit.

Item D – 4 Request by Danny Hair, City of Raleigh, to amend the 2008 NC Electrical Code. The proposed amendment is as follows:

(Add an exception to section 338.10(A)(4)(a) of the 2008 NC Electrical Code)

(4) Installation Methods for Branch Circuits and Feeders.

(a) Interior Installations. In addition to the provisions of this article, Type SE service-entrance cable used for interior wiring shall comply with the installation requirements of Part II of Article 334.

Exception: Type SE service-entrance cable not installed within framing member with thermal insulation or areas that may be insulated in the future, shall not be required to comply with the 60 degree C ampacity limitation in section 334.80.

Item D – 5 Request by New Hanover County Code Enforcement, to amend the 2008 NC Electrical Code. The proposed amendment is as follows:

338.10 (B)(4)(a)

Interior installations. In addition to the provisions of this article, Type SE service-entrance cable used for interior wiring shall comply with the installation requirements of Part II of Article 334, excluding 334.80.

Part E – Reports

Chairman’s Report

Ad Hoc Committee Reports

Standing Committee Reports

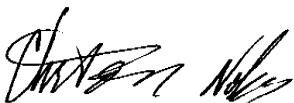
Staff Reports

Public Comments

Part F – Appeals

Item F – 1 David C. Faustin
September 2009 Hearing

Sincerely,

A handwritten signature in black ink, appearing to read "Christian Noles". The signature is written in a cursive, somewhat stylized font.

Christian Noles, P.E.
Secretary, NC Building Code Council