

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)

August 10, 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, PE -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 September 14-15, 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 September 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, September 14, 2009 and is open to the public on a noncontributing basis. At the close of the Work Session, Committees may meet.
2. The Fire Committee will meet at the close of the Work Session on Monday, September 14, 2009.
3. The Structural Committee will meet at the close of the Work Session on Monday, September 14, 2009.
4. The Public Hearing will begin at 1:00PM on Monday, September 14, 2009. The Council will receive comments for the items marked as "C" at this time. At the close of the hearing, committees may meet.
5. The NC Building Code Council meeting will begin at 9:00AM on Tuesday, September 15, 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 June 9, 2009 NC Building Code Council Meeting.

Item A – 3 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 – 4 Rules Review Commission Meeting Report

Item A – 5 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 December 2009 meeting.

Item B – 1 Request by Jeff Griffin, Mecklenburg County, to amend the 2009 NC Building Code. The proposed amendment is as follows:

Section 3103 Temporary Structures 3103.1 General

The provisions of this section apply to structures erected for a period of less than 180 days. ~~Tents and other membrane structures erected for a period of less than 180 days shall comply with the International Fire Code.~~ Those erected for a longer period of time shall comply with ~~the~~ all applicable sections of ~~this~~ the Building Code.

Exception: Tents, canopies and membrane structures erected for a period of less than 180 days shall comply with Chapter 24 of the International Fire Code.

Item B – 2 Request by Victor Hines, Jr., to amend the 2009 NC Plumbing Code. The proposed amendment is as follows:

608.8.2 Delete “All other non-potable water systems” from Chart and substitute the following as free text: “The color purple shall be used to identify reclaimed, rain and gray water distribution systems”

Item B – 3 Request by Victor Hines, Jr., to amend the 2009 NC Plumbing Code. The proposed amendment is as follows:

701.10 Plastic Pipe in High-Rise Buildings: Plastic Pipe and Fittings may be used for drain, waste and vent in buildings in which the top most occupied floor does not exceed 75 feet in height.

1101.10 Plastic Pipe in High-Rise Buildings: Plastic Pipe and Fittings may be used for storm drainage in buildings in which the top most occupied floor does not exceed 75 feet in height.

Item B – 4 Request by Jeff Griffin, Mecklenburg County, to amend the 2009 NC Residential Code. The proposed amendment is as follows:

Section R404.1 Concrete and Masonry Foundation Walls.

Concrete and masonry foundation walls shall be selected and constructed in accordance with the provisions of Section R404 or in accordance with ACI 318, ACI 332, NCMA TR68-A or ACI 530/ASCE 5/TMS 402 or other approved structural standards. When ACI 318, ACI 332 or ACI 530/ASCE 5/TMS 402 or the provisions of Section R404 are used to design concrete or masonry foundation walls, project drawings, typical details and specifications are not required to bear the seal of the architect or engineer responsible for design, unless otherwise required by the state law of the jurisdiction having authority.

Recommend deleting second paragraph without substitution:

~~Foundation walls that meet all of the following shall be considered laterally supported:~~

- ~~1. Full basement floor shall be 3.5 inches (89mm) thick concrete slab poured tight against the bottom of the foundation wall.~~
- ~~2. Deleted.~~
- ~~3. Bolt spacing for the sill plate shall be no greater than 36 inches (914mm).~~
- ~~4. Deleted.~~
- ~~5. Where foundation walls support unbalanced load on opposite sides of the building, such as a daylight basement, the building aspect ratio, L/W, shall not exceed the value specified in Table R404.1(3). For such foundation walls, the rim board shall be attached to the sill with a 20 gage metal angle clip at 24” on center, with five 8d nails per leg, or an approved connector supplying 230 pounds per linear foot (3.336kN/m) capacity.~~

Also Delete Table R404.1(3) referenced above.

Item B – 5 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 – 6 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 September 14, 2009 and the Final Adoption meeting may take place on or after December 8, 2009.

Item C – 1 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.

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.

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
Group Be	Quarterly	All occupants
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 C – 2 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 C – 3 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 C – 4 Request by Alan Perdue, Building Code Council, to amend the 2009 NC Fire Code. The proposed amendment is as follows:

3308.11 Retail display and sale. ~~Fireworks displayed for retail sale shall not be made readily accessible to the public allowed by NC General Statute 14-414 shall be permitted to be sold, used or possessed without a permit.~~ A minimum of one pressurized-water portable fire extinguisher complying with Section 906

shall be located not more than 15 feet (4572 mm) and not less than 10 feet (3048 mm) from the hazard. “No Smoking” signs complying with Section 310 shall be conspicuously posted in areas where fireworks are stored or displayed for retail sale. No sale of fireworks shall be made to persons less than 16 years of age (N.C.G.S. 14-410)

Item C – 5 Request by Al Bass, Building Code Council, to amend the 2009 NC Energy Conservation Code. The proposed amendment is as follows:

503.2.8 Piping insulation. All piping serving as part of a heating or cooling system shall be thermally insulated in accordance with Table 503.2.8.

Exceptions:

(no change to exceptions 1 through 4)

5. Refrigerant piping installed within the thermal envelope of the building.

Item C – 6 Request by David Smith, Building Code Council, to amend the 2009 NC Residential Code. The proposed amendment is as follows:

Option #1 (sections will be renumbered):

R313.1.1 Carbon monoxide alarms. In new construction, dwelling units within which fuel-fired appliances are installed or have attached garages shall be provided with an approved carbon monoxide alarm installed outside of each separate sleeping area in the immediate vicinity of the bedroom(s).

R313.1.2 Where required-existing dwellings. In existing dwellings within which fuel-fired appliances exist or have attached garages, where interior alterations, repairs, fuel-fired appliance replacements or additions work requiring a permit occurs, or where one or more sleeping rooms are added or created, carbon monoxide alarms shall be provided in accordance with Section 313.1.1.

R313.1.3 Alarm requirements. The required carbon monoxide alarms shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Single station carbon monoxide alarms shall be listed as complying with UL 2034 and shall be installed in accordance with this code and the manufacturer’s installation instructions.

Item C – 7 Request by David Smith, Building Code Council, to amend the 2009 NC Residential Code. The proposed amendment is as follows:

Option #2 (sections will be renumbered):

R313.1.1 Carbon monoxide alarms. In new construction, dwelling units shall be provided with an approved carbon monoxide alarm installed outside of each separate sleeping area in the immediate vicinity of the bedroom(s).

R313.1.2 Where required-existing dwellings. In existing dwellings, where interior alterations, repairs, fuel-fired appliance replacements or additions work requiring a permit occurs, or where one or more sleeping rooms are added or created, carbon monoxide alarms shall be provided in accordance with Section 313.1.1.

R313.1.3 Alarm requirements. The required carbon monoxide alarms shall be clearly audible in all bedrooms over background noise levels with all intervening doors closed. Single station carbon monoxide alarms shall be listed as complying with UL 2034 and shall be installed in accordance with this code and the manufacturer's installation instructions.

Item C – 8 Request by David Smith, Building Code Council, to amend the 2009 NC Residential Code. The proposed amendment is as follows:

R313.2.1 Alterations, repairs and additions. When alterations, repairs and additions requiring a building permit occur, or when one or more sleeping rooms are added or created in existing dwellings, the individual dwelling unit shall be equipped with smoke alarms located as required for new dwellings; the smoke alarms shall be interconnected and hard wired.

Exceptions:

1. Interconnection and hard-wiring of smoke alarms in existing areas shall not be required where the alterations or repairs do not result in the removal of interior wall or ceiling finishes exposing the structure, ~~unless there is an attic, crawl space or basement available which could provide access for hard wiring and interconnection without the removal of interior finishes.~~ Smoke alarm locations are required per Section R313.2, but may be battery powered and shall be designed to emit a recurring signal when batteries are low and need to be replaced.
2. (no change to exception 2)

Item C – 9 Request by David Smith, Building Code Council, to amend the 2009 NC Residential Code. The proposed amendment is as follows:

SECTION R614

SIDE HINGE AND GARAGE DOORS

R614.1 Side hinge and garage doors. Exterior side hinge doors and garage doors shall have a structural design pressure rating as required by Table R301.2(4) or Section 4402. These doors are not required to be rated for water resistance nor air infiltration.

R614.2 Door mounting. Wall framing around exterior doors shall be adequate to hold the door in place. The door manufacturer's installation instructions shall specify the proper anchorage required to enable the door to resist the required design pressure.

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 June 8, 2009. The Final Adoption meeting will take place on September 15, 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 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 D – 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 D – 3 Request by David Gardner, City of Charlotte, to amend the 2009 NC Fire and 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.

Item D – 4 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 was held from the June Council Meeting.

Part E – Reports

Chairman’s Report

Ad Hoc Committee Reports

Standing Committee Reports

Staff Reports

Public Comments

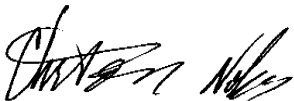
Part F – Appeals

Item F – 1 David C. Faustin – NCDOI

Item F – 2 REBIC – Mecklenburg County

Item F – 3 Moseley Architects – NCDOI

Sincerely,

A handwritten signature in black ink, appearing to read "Christian Noles".

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