

**Minutes of the North Carolina Building Council
September 13, 2005
Statesville, North Carolina**

All members of the North Carolina Building Code Council were present with the exception of Lon Culbertson.

The following are summary minutes. The official minutes of this meeting are recorded on tape. Anyone desiring verbatim tapes or excerpts from these tapes should contact the Engineering Division of the North Carolina Department of Insurance for information and reproduction costs. The next scheduled NC Building Code Council meeting will be held on December 12 and 13, 2005 in Raleigh, NC at the Wake County Commons Building.

Part A - Administrative Items

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

Tom Turner stated that he had a potential conflict of interest regarding special inspections. Jack Neel made a motion to excuse Mr. Turner during discussion of special inspections. Brad Lail seconded the motion. The motion carried.

Item A - 2 Approval of minutes of the June 14, 2005 NC Building Code Council Meeting.

The June 14, 2005 minutes were amended to show that the Petitions for Rulemaking items were sent to specific committees for review.

Item A - 3 Letters of reappointment to the NC Building Code Council for Brad Lail, Dan Murray, and Dan Tingen.

This item required no vote from the Council.

Item A - 4 Election of chair and vice-chair for a two year term.

John Hitch made a motion to nominate Dan Tingen to serve a second two-year term as chair of the Council. Butch Simmons seconded the motion. The motion carried. Jack Neel nominated John Hitch to serve for a second two-year term as vice chair of the Council. Mack Nixon seconded the motion. The motion carried.

Item A - 5 Residential Building Code study letter.

Chair Dan Tingen wrote a letter to President of Senate and Speaker of the House addressing the Residential Committee's review of the code regarding housing affordability.

Part B - 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 December 12, 2005.

Item B - 1 Request by Larry Walters, AIA, Gantt Huberman Architects to delete and substitute the NC Accessibility Code, Section 10.2.2 as follows:

10.2.2 Vertical clearances shall be 80 inches high minimum. Guardrails or other barriers shall be provided where the vertical clearance is less than 80 inches high. The leading edge of such guardrail or barrier shall be located 27 inches maximum above the finished floor ground.

Exception: Door closers and door stops shall be permitted to be 78 inches minimum above the finish floor or ground.

John Hitch questioned the purpose of the proposed change. Brad Lail made a motion to grant this petition and to send it to the General Construction Committee. Butch Simmons seconded the motion. The motion carried.

Item B - 2 Request by Steven Mayer, Harrell, Hopper and Associates to revise the NC Plumbing Code, Section 412.6 as follows:

412.6 Trap primers. The water sealer of floor drain traps shall be maintained in conformance with 1002.4 Trap seals or ~~by an automatic trap primer, drainage from a clear water fixture or other~~ method acceptable to the authority having jurisdiction.

Brad Lail made a motion to grant this petition and to send it to the Plumbing Code Committee. Dan Murray seconded the motion. The motion carried.

Item B - 3 Request by Jacob Thadathil, New Horizons Fair Housing Committee to revise the NC Building Code, Section 907.9.1.3 to require visible alarms in Group R-2 apartments.

Jack Neel made a motion to grant this petition and to send it to the General Construction Committee. Tom Turner seconded the motion. The motion carried.

Item B - 4 Request by Nycon, Inc. to add new section 1909.3 to the NC Building Code as follows:

1909.3 Temperature-Shrinkage Reinforcement. Concrete slabs on ground containing synthetic fiber reinforcement. Fiber length shall be ½ inch to 2 inches (13 to 51 mm) in length. [Typically specified length shall be ¾" (19 mm)]. Dosage amounts shall be from 1.0 to 1.5 pounds per cubic yard (0.6 to 0.9 kg/cubic meter) in accordance with the manufacturer's recommendations. The synthetic fibers shall comply with ASTM C1116, Section 4.1.3 and Note 3 and ICC ES AC32, Sections 4.1.1 and 4.1.2. The manufacturer or supplier shall provide certification of compliance with ASTM C1116 and ICC ES AC32 when requested by the building official. Concrete slabs on ground containing 6x6 W1.4xW1.4 welded wire reinforcement fabric located in the middle to the upper 1/3 of the slab. Welded wire reinforcement fabric shall be supported with approved materials or supports at spacing not to exceed 3 ft (914 mm) in both the North-South and East-West directions or in accordance with the manufacturer's specifications. Welded plain wire reinforcement fabric for concrete shall conform to ASTM A 185, Standard Specification for Steel Welded Wire Reinforcement, Plain for Concrete Reinforcement.

John Hitch questioned the purpose of the proposed change and opposed the reason for the change. Barry Maness made a motion to grant this petition and send it to the Structural Committee. Terry Greene seconded the motion. The motion carried.

Item B - 5 Request by Nycon, Inc. to add new section R506.1.1 to the NC Residential Code as follows:

R506.1.1 Temperature-Shrinkage Reinforcement. Concrete slabs on ground containing synthetic fiber reinforcement. Fiber length shall be ½ inch to 2 inches (13 to 51 mm) in length. [Typically specified length shall be ¾" (19 mm)]. Dosage amounts shall be from 1.0 to 1.5 pounds per cubic yard (0.6 to 0.9 kg/cubic meter) in accordance with the manufacturer's recommendations. The synthetic fibers shall comply with ASTM C1116, Section 4.1.3 and Note 3 and ICC ES AC32, Sections 4.1.1 and 4.1.2. The manufacturer or supplier shall provide certification of compliance with ASTM C1116 and ICC ES AC32 when requested by the building official.

Concrete slabs on ground containing 6x6 W1.4xW1.4 welded wire reinforcement fabric located in the middle to the upper 1/3 of the slab. Welded wire reinforcement fabric shall be supported with approved materials or supports at spacing not to exceed 3 ft (914 mm) in both the North-South and East-West directions or in accordance with the manufacturer's specifications. Welded plain wire reinforcement fabric for concrete shall conform to ASTM A 185, Standard Specification for Steel Welded Wire Reinforcement, Plain for Concrete Reinforcement.

Bob Ruffner made a motion to grant this petition and send it to the Structural Committee. Barry Maness seconded the motion. The motion carried.

Item B - 6 Request by Rick Frady to revise the NC Residential Code, Appendix M, Table 7 to delete the word "unbraced."

John Hitch questioned the purpose of the proposed change. Al Bass made a motion to grant this petition and send it to the Residential Ad Hoc Committee. Mack Nixon seconded the motion. The motion carried.

Item B - 7 Request by Dan Tingen, NCBC Chair, to add a new definition for "Equipment" in the NC Electrical Code.

Terry Greene made a motion to grant this petition and send it to the Administrative Code and the Electrical Code Committees. Butch Simmons seconded the motion. The motion carried.

Lon Culbertson was not in attendance at the meeting to discuss this petition. Wanda Edwards, NCDOT staff, requested specific language regarding the definition.

Part C - Notice of Rulemaking Proceedings and Public Hearing

The attached Petitions for Rulemaking have been granted by the Council. Notice of Rulemaking proceedings has been made. The Public Hearing was held September 12, 2005 and the Final Adoption meeting will take place on or after December 13, 2005. No further action is required by the Council at this time.

Item C - 1 2006 NC Administrative Code and Policies.

No comments were made during the Public Hearing on Monday, September 12, 2005.

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 13, 2005 and August 8, 2005. The Final Adoption took place on September 13, 2005. 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 Review/Approve Rules Review Commission comments.

Barry Gupton, BCC Secretary and NCDOT staff, requested permission to speak with Jim Bartl, Director of Inspections for Mecklenburg County, regarding non-technical revisions requested by Rules Review. Al Bass made a motion to grant Mr. Gupton permission to discuss the request with Mr. Bartl. Barry Maness seconded the motion. The motion carried. The revised document will be posted after approval by Rules Review.

Item D - 2 Request by Cyrus Dastur, Advanced Energy, to modify the Residential Code, Sections R318 and R409 related to foam plastic flamespread.

R318.2.3 Attics and crawl spaces. Within attics and crawl spaces where entry is made only for service of utilities, foam plastic shall be protected against ignition by 1 ½ inch-thick (38mm) mineral fiber insulation, ¼-inch thick (6.4mm) wood structural panels, 3/8-inch (9.5mm) particleboard, ¼-inch (6.4mm) hardboard, 3/8-inch (9.5mm) gypsum board, or corrosion-resistant steel having a base metal thickness of 0.016 inch (0.406mm).

~~Within crawl spaces, foam plastic use is governed by R409.8.2.~~

R409.8.2 Foam plastic fire safety. Foam plastic insulation may be installed inside crawl spaces without a thermal ~~cover barrier or ignition barrier~~ when the insulation product has been tested in accordance with ASTM E 84 ~~have a flame spread rating of not more than 25 and a smoke developed rating of not more than 450~~ section R318.3. foam plastic tested in accordance with section R318.3 shall be installed according to the limitations stated in the ICC Evaluation Service Evaluation Report (ICC-ES) for the product. Foam plastics that have not been tested to meet these ratings shall be protected against ignition ~~by covering them with a thermal barrier.~~ ~~Acceptable thermal barriers include but are not limited to ½ inch cement board, metal foil sheets, metal foil tape, steel or aluminum metal sheets or other approved materials installed in such a manner that the foam is not exposed per section R318.2.3.~~

Exception: Foam plastic insulation located in closed crawl spaces ~~used as conditioned spaces as defined in section R409.5.5 Conditioned Space or section R409.6 Plenums~~ shall be protected against ignition by an approved thermal barrier.

Mack Nixon made a motion to adopt this item. Butch Simmons seconded the motion. The motion carried.

Item D - 3 Request by the staff of the NC Department of Insurance to adopt the following codes:

Each code was adopted with a primary motion to adopt the NC amendments and a final motion to adopt the 2006 NC code with amendments.

A. 2003 International Building Code Chapters 1-15 (with 2006 NC Amendments)

Mack Nixon made a motion to adopt the Building Code Proposal for residential sprinklers found in both the 2002 Building Code and 2002 Fire Prevention Code under section 903.2.7. Al Bass seconded the motion. The motion was denied by a vote of five to ten. Butch Simmons, chairman of the Building Code Chapters 1-15 Ad Hoc Committee, made a motion to adopt the proposed amendments from August 29, 2005. The motion was seconded. The motion carried.

Chapters 16-end (with 2006 NC Amendments)

Tom Avery made a motion to adopt the proposed amendments to section 1704.1 from August 24, 2005. The motion was seconded. The motion carried with a vote of 14 to one.

Al Bass made a motion to adopt the 2003 IBC Code with posted amendments, with the exception of 903.2.7, and amendments from August 24, 2005 and August 29, 2005 as the 2006 NC Building Code. Butch Simmons seconded the motion. The motion carried unanimously.

B. 2003 International Energy Code (with 2006 NC Amendments)

Tom Turner, chairman of the Energy Code Ad Hoc Committee, made motions to adopt the 2003 IECC with posted amendments as the 2006 NC Energy Code. Al Bass seconded the motions. The motions carried unanimously.

C. 2003 International Fire Prevention Code (with 2006 NC Amendments)

Alan Perdue, chairman of the Fire Prevention Code Ad Hoc Committee, made motions to adopt the 2003 IFC with posted amendments including sprinklers in Group R and amendments from August 29, 2005 as the 2006 NC Fire Prevention Code. Jack Neel seconded the motions. The primary motion carried with a vote of 11 to four. The final motion carried unanimously.

D. 2003 International Fuel Gas Code (with 2006 NC Amendments)

Barry Gupton, BCC Secretary and NCDOT staff, presented the changes to the Fuel Gas Code that were identical to those made to the Mechanical Code. Terry Greene, chairman of the Fuel Gas Ad Hoc Committee, made motions to adopt the 2003 IFGC with posted amendments, including Mechanical Code coordination, as the 2006 NC Fuel Gas Code. Brad Lail seconded the motions. The motions carried unanimously.

E. 2003 International Mechanical Code (with 2006 NC Amendments)

Al Bass, chairman of the Mechanical Code Ad Hoc Committee, made motions to adopt the 2003 IMC with posted amendments and amendments from August 31, 2005 as the 2006 NC Mechanical Code. Terry Greene seconded the motions. The motions carried unanimously.

F. 2003 International Plumbing Code (with 2006 NC Amendments)

Al Bass, chairman of the Plumbing Code Ad Hoc Committee, made motions to adopt the 2003 IPC with posted amendments and amendments from August 31, 2005 as the 2006 NC Plumbing Code. Barry Maness seconded the motions. The motions carried unanimously.

Item D - 4 Request by Leslie Young, NCSU Center for Universal Design, to add the following statement to Section 1-1 of the Rehab Code:

All references to accessibility in the NC Rehab Code shall mean the 1999 NC Accessibility Code with 2002 and 2004 Amendments. Where differences occur between the NC Rehab Code and the NC Accessibility Code, the provisions of the NC Accessibility Code shall govern.

The second sentence was added by the General Construction Committee at the recommendation of USDOJ. Butch Simmons made a motion to adopt this item. Dan Murray seconded the motion. The motion carried.

Part E - Reports

Building Code Council Standing Committee Reports

Standing Committee	Chairman	Status
General Construction	Butch Simmons	Work is complete.
Structural	Tom Avery	Work is complete.

Ad Hoc Committee reports and Meeting Dates

Ad Hoc Committee	Chairman	Status
Building Code (Chapters 1 - 15)	Butch Simmons	Work is complete.
Building Code (Chapters 16 - end)	Tom Avery	Work is complete.
Energy Code	Tom Turner	Work is complete.
Fire Code	Alan Perdue	Work is complete.
Fuel Gas Code	Terry Greene	Work is complete.
Mechanical Code	Al Bass	Work is complete.
Plumbing Code	Al Bass	Work is complete.
Residential Code	Dan Tingen	Changes will be reviewed and work on commentary will begin after the review.

Staff Reports

Wanda Edwards, NCDOI staff, requested that an interpretation be written regarding public restrooms in take-out restaurants; most take-out facilities only provide restrooms for employees because there is no seating for diners. Al Bass made a motion stating that providing restrooms only for employees is an acceptable practice. Barry Maness seconded the motion. The motion carried.

Ms. Edwards also presented two letters to the Council regarding fire alarm systems and existing buildings. These letters are attached to these minutes.

Other Reports

There were no other reports.

Part F - Appeals

Item F-1 Carillon Assisted Living versus North Carolina Department of Insurance

This appeal was resolved prior to the meeting on September 12, 2005.

Item F - 2 Regional Design and Construction versus Mecklenburg County and NC Department of Insurance

This appeal was heard Monday, September 12, 2005 and continued after the BCC meeting on Tuesday, September, 13, 2005. The Council will meet during a closed session to deliberate the outcome of this appeal.

Sincerely,

Barry Gupton, PE
Secretary, NC Building Code Council