

**Minutes of the North Carolina Building Code Council  
September 11-12, 2006  
Asheville, NC**

All members of the North Carolina Building Code Council were present with the exception of Tom Avery, Lon Culbertson and Walter Simmons (June 13).

The following are summary minutes. The official minutes of this meeting are recorded on CD. Anyone desiring verbatim CDs or excerpts from these CDs should contact the Engineering Division of the NC Department of Insurance for information and reproduction costs. The next scheduled NC Building Code Council meeting will be held December 11-12, 2006 at the Hilton North Raleigh, 3415 Wake Forest Road, Raleigh, NC 27609.

**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.**

There were no actual or potential conflicts of interest noted.

**Item A – 2 Approval of minutes of the June 13, 2006 NC Building Code Council Meeting.**

Motion/Second/Passed – The June 13, 2006 minutes were approved.

**Item A - 3 Carteret County adoption of the current fire code with appendices.**

The Council discussed and decided that similar future adoptions should come before the Council as a formality. It was recommended that an approval list be maintained online.

Motion/Second/Passed – The Carteret County adoption of the Fire Code appendices was approved.

**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 11, 2006.

**Item B – 1 Request by Larry T. Edwards, True Value Family Hardware and Just Ask Rental, add an exception to the 2006 NC Fire Code, Section 105.7.12 and/or 2403.2 to address membrane structures, specifically inflated amusement devices. The proposed amendment is as follows:**

Any inflated amusement device that has been inspected and tagged for the current inspection year by the North Carolina Department of Labor and setup and operated according to their rules and is less than 700 square feet in size does not require a permit and approval from the code official.

Larry Edwards presented the proposal for permit exemption for small inflated amusement devices. Alan Perdue asked that the proposal be sent to the Fire Committee for review.

Motion/Second/Passed – The Petition was Granted and forwarded to the Fire Committee. No Hearing date was set.

**Item B – 2 Request by John Hitch, NCBC, 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.

John Hitch presented the proposal to either handle the change as (1) an errata, (2) an Emergency Rule, or (3) a new Petition. Dan Tingen stated that this could not be handled as errata. Barry Gupton stated that he did not believe that the change would meet the criteria for adoption as an Emergency Rule. Alan Perdue commented that the reduction of occupant load had seen due process through both the ICC and NC Fire Ad Hoc Committees.

Motion/Second/Passed – The Council directed Brandon Truman to pursue the Emergency Rule option, if viable.

Motion/Second/Passed – The Petition was Granted and forwarded to the Fire Committee.

Motion/Second/Passed – The Hearing date was set for December 2006.

**Item B – 3 Request by David Smith, NCBC, to add new Section to the 2006 NC Residential Code for elevator requirements.**

**SECTION R323  
ELEVATORS AND PLATFORM LIFTS**

**R323.1 Elevators.** Where provided, passenger elevators, limited use/limited application elevators or private residence elevators shall comply with ASME A17.1.

**R323.1.1 Car doors and gates.** Car doors and gates are required. They shall protect the entire car entrance and be constructed of solid, non-perforated material. Scissor gates are prohibited. The distance between the hoistway enclosure opposite the car entrance and the car gate shall not exceed 5-inches.

**R323.2 Platform lifts.** Where provided, platform lifts shall comply with ASME A18.1.

**R323.3 Accessibility.** Elevators or platform lifts that are part of an accessible route required by ~~Chapter 11 Section 1.4~~ of the ~~International Building Code~~ NC Accessibility Code, shall comply with ICC A117.1.

**R323.4 Certification.** The installer shall certify that the following conditions have been met.

1. The elevator or platform lift has been installed in accordance with the manufacturer's installation instructions.
2. The elevator meets the requirements of ASME A17.1, Part 5.
3. The platform lift meets the requirements of ASME A18.1, Sections 5, 6 and 7.
4. The elevator or platform lift meets the requirements of the NC Electrical Code.

Before a Certificate of Occupancy is issued, the permit holder shall provide the Code Enforcement Official a letter of certification from the installer, evidencing compliance with the above conditions. Any maintenance requirements required by the manufacturer shall be clearly stated and affixed to the component. When an elevator or platform lift or its components has been serviced, the service provider shall certify that the elevator continues to meet the above conditions.

David Smith stated that proposal is substantially the same as the information presented to the Council in the June report. The proposal has been incorporated into the 2006 IRC language.

Motion/Second/Passed – The Petition was Granted.

Motion/Second/Passed – The Hearing date was set for December 2006.

**Item B – 4 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.

Barry Maness stated that this proposal was brought to him as a concern.

Motion/Second/Passed – The Petition was Granted and forwarded to the Plumbing Committee.

Motion/Second/Passed – The Hearing date was set for December 2006.

## **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 was held September 11, 2006 and the Final Adoption meeting will take place on or after December 12, 2006.

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

#### **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 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.

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.

Revisions below based on comments. Remainder same.

**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.*

## **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 12 2006. The Final Adoption meeting took place on September 12, 2006. 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, NC Building Code Council member, to use proposed language to allow installation of partial sprinkler protection in one-and two-family dwellings.**

#### **614 PARTIAL SPRINKLER PROTECTION IN ONE- AND TWO-FAMILY DWELLINGS**

**614.1 Partial protection.** Nothing herein shall be deemed to prohibit the connection to the domestic water distribution system of a system of one or more fire suppression sprinkler heads in one or more rooms of a one or two family dwelling, nor shall such installation impose additional requirements on said domestic water distribution system with regard to pipe size, water pressure, meter size, monitoring or alarm provided that:

1. The sprinkler heads used are residential fast response type.
2. Each branch feeding one or more sprinkler heads shall be provided with an isolation valve which shall be readily accessible and the function thereof shall be clearly marked.
3. Each isolation valve shall be clearly identified as to function with a tag or other device which shall clearly indicate that the system does not meet the requirements of NFPA 13D.
4. The piping installation and material shall comply with the requirements of the Plumbing Code.

Motion/Second/Passed – The Petition was Adopted with a 1/1/2009 effective date.

### **Item D – 2 Request by the NC Department of Insurance to adopt the 2003 International Residential Code with 2006 NC Amendments.**

The amendments are posted at:

[www.ncdoi.com/OSFM/Engineering/BCC/Documents/2006\\_NCBuildingCode\\_amendments/proposed/2006NCResidentialCode\\_amendments.pdf](http://www.ncdoi.com/OSFM/Engineering/BCC/Documents/2006_NCBuildingCode_amendments/proposed/2006NCResidentialCode_amendments.pdf)

Motion/Second/Passed – The Petition was Adopted with a 6/1/2007 effective date.

### **Item D – 3 Request by the NC Building Code Council to amend the 2006 NC Fire and Building Codes to incorporate the 2003 IFC/IBC Group R sprinkler requirements. Delete the adopted and approved 2006 NC Fire/Building Code Section 903.2.7 in its entirety and replace with the following:**

**903.2.7 Group R.** An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout the 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.

Motion/Second/Passed – The Petition was Adopted.

Motion/Second/Passed – The effective date will be the first day of the month following approval by the Rules Review Commission.

## **Part E – Reports**

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

- Alan Perdue reported that the Fire Committee developed a checklist for Group E located in Community Colleges. The legislature subsequently passed S198 that exempts Group E Code compliance for public school, early/middle college programs located in community colleges, private colleges and universities. The Fire Committee will continue to follow this issue.
- David Smith reported that he has received a copy of the Florida Wind Study report and has begun to review. He noted that they used 1500-foot and 1-mile inland as their zone for windborne debris. Trees and terrain were factors in the effects of windborne debris. Open terrain is more of a factor than wind speed. Windborne debris is not just an ocean coastline issue. The Residential Committee will meet and will report back in December.

### **Ad Hoc Committees**

- David Smith reported that the Residential Ad Hoc Committee has begun to work on the 2009 Code.
- Dan Tingen requested that each Ad Hoc Committee Chair send a list of proposed members to him prior to appointment. The Committee Chairs are directed to use the 2006 I-Codes for the 2009 NC Codes. Do not reach beyond the 2006 I-Codes for general changes. Any such amendment should be made as an individual/specific request. Each Committee Chair should report major/substantial changes to the full Council.
- Dan Tingen stated that he felt it was time to move forward and establish an Ad Hoc Accessibility Committee to look at ICC coordination. The Council plans to maintain the 1999 NC Accessibility Code with amendments until another version is certified by USDOJ. The Council decided to limit the Ad Hoc Committee to 6-members. Ted Partrick, Greensboro will serve as Chair. John Hitch will be the Council member.

### **Chairman's Report**

- Dan Tingen asked for input from the Council about 2007 meeting locations. There was one comment that the meetings should be held at various geographic locations. Another comment was made that location did not seem to affect the attendance. The Council decided to continue to hold the March meeting in the East, the September meeting in the West, and the June and December meetings in Raleigh.

### **Staff Report**

- Barry Gupton reported that the 2006 I-Codes have been distributed to all Council members, except Jack Neel and Tim Reynolds. The 2006 NC Codes will be shipped directly to each Council member. The 2006 NC Residential Code should be approved by the Rules Review Commission in either November or December 2006. We should be able to have publication in March 2007. The projected schedule for the 2009 NC Codes to be effective 1/1/2009 must be:
  - 9/2007 BCC submit/grant petition
  - 12/2007 BCC hold public hearing
  - 3/2008 BCC adopt Codes
  - 5/2008 RRC approve Codes
  - 9/2008 ICC publication
  - 1/1/2009 effective date
- Chris Noles reported that he is currently serving as both the Interim Deputy Commissioner and the Chief Fire Code Consultant. The 2006 NC Codes are in stock at both ICC and our office. A CD distribution of the "free" Codes will be shipped to jurisdictions by ICC. Our continued goal is interpretation consistency. We are implementing the use of a plan review checklist for standardization. Rob Roegner will serve as the coordination person for Council matters and Barry Gupton will be the technical liaison for the Council.

### **Other Report**

- Lon McSwain reported that he attended an NFPA conference and picked up useful information concerning single-family residential sprinklers. He gave packages to each Council member.

### **Part F – Appeals**

The Council continued the Z. F. Lemforder appeal in conjunction with this meeting.

Sincerely,

Chris Noles, PE  
Interim Secretary, NC Building Code Council