

Minutes of the North Carolina Building Code Council
June 11-12, 2007
Raleigh, NC

All members of the North Carolina Building Code Council were present with the exception of Lon Culbertson, Brad Lail, Walter Simmons and Tom Turner.

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 September 10-11, 2007 at the NC Department of Insurance/SHIIP, 11 South Boylan Avenue, Raleigh, NC 27603.

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.

John Hitch asked that a note be put in the minutes that he had spoken with Frank Perry after the Ethics Training on June 11, 2007 about Item D-3 and they concluded that there was no conflict of interest. There were no actual or potential conflicts of interest noted.

Item A – 2 Approval of minutes of the March 13, 2007 NC Building Code Council Meeting.

Motion – Mack Nixon/Second – Al Bass/Passed – The March 13, 2007 minutes were approved unanimously with two amendments. The first amendment is on page 7 of the minutes. The title of Chairman needs to be added to Dan Tingen's name. The second was on page 8, in the Chairman's Report. The first item contains the word meeting and that needs to be changed to member.

Item A – 3 Brandon Truman has arranged for a presentation to be made by Frank Perry, State Ethics Commission to the Building Code Council on Monday, June 11, 2007 at 9:00AM. If you are Board member and are unable to attend this meeting you must obtain your own training available per the classes listed on the Ethics Commission website.

Brandon Truman advised the council that he had sent a sign-in sheet around at the ethics training on June 11, 2007 for our records. Dan Tingen asked Brandon to find out if the Board members who have not received Ethic's training past the deadline can still serve. Dan requested that those individuals who did not attend the training session on June 11, 2007 be notified of the two upcoming opportunities for ethics training. One will take place at 1:00PM on July 12, 2007 at the Home Inspector Licensure Board meeting the other will take place at 9:00AM on July 24, 2007 at the Code Official's Qualification

Board Meeting. Both of these meeting will be held at 322 Chapanoke Road, Raleigh, NC 27603.

Item A – 4 Rules Review Commission meeting report - 5/17/2007

Barry Gupton gave the Rules Review Commission report. The rule citation for 417.5.2 from the 2006 NC Plumbing Code was approved on May 17, 2007 and is effective beginning January 1, 2009. The rule citation for 903.2.1.2 from the 2006 NC Fire/Building Code was objected by the Rules Review Commission. This item was returned to the Building Code Council because there is no definition of a “nightclub” in the Building/Fire Codes.

Item A – 5 ISO’s Building Code Effectiveness Grading Schedule Report

Mike Bratcher, Ralph Dorio, Wanda Edwards, Tim Lucas and Berry Williams discussed the effect of the Building Code Effectiveness Grading Schedule (BCEGS) score on the Community Rating System (CRS) score. The BCEGS score does not currently affect the cost of residential insurance; however, it does limit the CRS score and can effect a jurisdiction’s flood insurance rate.

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 September 10, 2007.

Item B – 1 Request by David Smith, Chairman of the Residential Standing Committee, to amend the 2006 NC Residential Code for One and Two Family Dwellings, Section R202. The proposed amendment is as follows:

R202 Definitions. WINDBORNE DEBRIS REGION. Areas within hurricane-prone regions ~~within 1500 feet (0.452 km) of the mean high water line of the Atlantic Ocean~~ defined as that area east of the inland waterway from the NC/SC State line north to Beaufort Inlet; from that point to include the barrier islands to the NC/VA State line.

Motion – Al Bass/Second – Mack Nixon/Passed – The petition as amended above was Granted with one disapproval. This petition also applies to the 2006 NC Building Code, Section 1609.2.

Item B – 2 Request by David Smith, Chairman of the Residential Standing Committee, to amend the 2006 NC Residential Code for One and Two Family Dwellings, Section R302.1. The proposed amendment is as follows:

Exceptions:

1. Tool and storage sheds, playhouses and similar structures exempted from permits by Chapter 1 are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
2. In Townhouse construction (with 3 or more attached dwellings) non-combustible soffit material or fire retardant treated soffit material, not including aluminum, shall be used and shall be securely attached to framing members. Vented non-combustible soffit shall be permitted.

After considerable discussion on how to handle Item B-2 and B-3 the committee asked Curt Willis with the City of Raleigh when the fire report for the Pine Knolls Townhouse Fires would be available. Curt stated the report would be ready in the next few weeks. The committee decided to hold off on a decision for Item B-2 and Item B-3 until the committee can review the study and has more information. Dan Tingen asked Chris Noles to write a letter to the City of Raleigh requesting the fire report be sent to them once it is complete.

Item B – 3 Request by Matt Dobson, Vinyl Siding Institute, to amend the 2006 NC Residential Code for One and Two Family Dwellings, Section R302.1. The proposed amendment is as follows:

R302.1 Exterior walls. Exterior walls with a fire separation distance less than 3 feet (914 mm) shall have not less than a one-hour fire-resistive rating with exposure from both sides. Non-rated projections shall not extend beyond the distance determined by the following two methods, whichever results in the lesser projections:

1. A point one-third the distance to the property line from an assumed vertical plane located where protected openings are required.
2. More than 12 inches (305 mm) into areas where openings are prohibited.

Projections extending beyond the distance described above into the fire separation distance shall have not less than one-hour fire-resistive construction on the underside. The above provisions shall not apply to walls which are perpendicular to the line used to determine the fire separation distance.

Exceptions:

1. Tool and storage sheds, playhouses and similar structures exempted from permits by Chapter 1 are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
2. In townhouse construction (3 or more attached dwellings) ~~non-combustible soffit material, not including aluminum, shall be used and~~ soffit shall be securely attached to

~~framing members and shall be constructed using one of the following methods; or shall have a 1-hour fire rating and required by code. Vented non-combustible soffit shall be permitted.~~

1. Aluminum soffit that has a minimum thickness of .019 inch.
2. Non-Combustible material other than Aluminum.
3. Vinyl soffit installed over ¾ wood sheathing or 5/8” gypsum board.
4. Vinyl soffit where 2” nominal blocking is installed between roof framing members.

Venting requirements shall apply to both soffit and underlayments and shall not exceed the minimum net free air requirements by 150% established in section R806.2.

After considerable discussion on how to handle Item B-2 and B-3 the committee asked Curt Willis with the City of Raleigh when the fire report for the Pine Knolls Townhouse Fires would be available. Curt stated the report would be ready in the next few weeks. The committee decided to hold off on a decision for Item B-2 and Item B-3 until the committee can review the study and has more information. Dan Tingen asked Chris Noles to write a letter to the City of Raleigh requesting the fire report be sent to them once it is complete.

Item B – 4 Request by Bryan Readling, APA – The Engineered Wood Association, to amend the 2006 NC Residential Code for One and Two Family Dwellings, Sections R4404.3.4, R4406.3 and R4408.4. The proposed amendments are as follows:

4404.3.4 Exterior Concrete Slab-on-grade Footings. Vertical reinforcement shall be installed at intervals not to exceed Table 4404.1.1 and shall terminate in a double sole plate.

Exception: Vertical reinforcement (anchorage) shall be installed at intervals not to exceed Table 4404.1a where the bars terminate in a single sole plate. Approved strap anchors or wood structural panels shall be installed to provide a continuous load-path from the single sole plate to the wall.

4406.3 Gable endwalls. Gable endwalls in the 110, 120, and 130 mph wind zones shall either be supported by lateral bracing at the ceiling or have continuous studs from the floor to the roof. 2 x 4 studs at 16 inches on center are limited to 10 feet in length between supports. Non bearing 2 x 6 SPR#2 studs at 16 inches on center with 3/8” wood structural panel sheathing are limited to unsupported lengths of 18 feet in 110 mph, 16 feet in 120 mph and 14 feet in 130 mph wind zones. ~~Wood structural panel sheathing shall extend 12 inches beyond construction joints.~~

4408.4 Anchorage using wood structural panels. Wood structural panel sheathing may be used to resist both lateral load and uplift simultaneously. Panels shall be installed as follows:

- ~~5. Panels shall extend 12 inches beyond construction joints and shall overlap girders their full depth.~~

Motion – Barry Maness/Second – Al Bass/Passed – The Petition was Granted Unanimously.

Item B – 5 Request by David Smith/Barry Gupton, Residential Ad Hoc Committee, to amend the 2006 NC Residential Code, Figure R403.1(1), Section R403.1.4, Table R403.1. The proposed amendment is as follows:

Figure R403.1(1), Note 1 – Foundation shall extend not less than 12 inches below the finished ~~natural~~ grade or engineered fill and in no case less than the frost line depth. The bottom of the footing shall be supported on natural soil or engineered fill.

Section R403.1.4 Minimum depth. All exterior footings and foundation systems shall extend below the frost line specified in Table R301.2(1). In no case shall the bottom of the exterior footings be less than 12 inches (305 mm) below finished grade or engineered fill.

Exception: Frost protected footings constructed in accordance with Section R403.3 and foots and foundations erected on solid rock shall not be required to extend below the frost line.

In Seismic Design Categories D₁ and D₂, interior foots supporting bearing walls or bracing walls and cast monolithically with a slab on grade shall extend to a depth of not less than 18 inches (457 mm) below the top of the slab.

Table R403.1 – In 1,500 and 2,000-psf columns, change all values 12 and 15-inch widths to 16-inch.

Add footnote: A minimum footing width of 12 inches is acceptable for monolithic slab foundations.

Motion/Second/Passed – The Petition was Granted Unanimously. The footnote only applies to values changed from 12 to 16-inch.

Item B – 6 Objection by the Rules Review Commission, to provide a definition for “nightclub” in the 2006 NC Building/Fire Codes for amendment to 903.2.1.2(2).

This item was referred to the joint Building/Fire Committees for definition.

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 June 11, 2007 and the Final Adoption meeting will take place on or after September 11, 2007.

Item C – 1 Request by Dan Tingen, Chairman, to amend the 2002/2006 NC Residential Code Section R302.1 by emergency/temporary rule. The emergency rule effective 4/5/07 is as follows:

Exception:

1. Tool and Storage sheds, playhouses and similar structures exempted from permits by Chapter 1 are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
2. In Townhouse construction (3 or more attached dwellings) non combustibile soffit material, not including aluminum, shall be used and shall be securely attached to framing members or shall have a 1 hour fire rating as required by code. Vented noncombustible soffit shall be permitted.

Matt Dobson, VSI (proponent of item B-3) addressed other issues involved in the spread of fire from one townhouse to another. He requested relief for the use of aluminum and vinyl soffit material.

Item C – 2 Request by Wayne Hamilton, to amend the 2006 NC Building and Fire Codes, Section 905.2. The proposed amendment is as follows:

905.2 Installation standards. Standpipe systems shall be installed in accordance with this section and NFPA 14.

~~**Exception:** In other than high rise buildings, where buildings are sprinklered in accordance with Section 903.3.1.1, the water supply is not required to meet the higher pressures required for a standpipe system.~~

This exception is addressed on the Standard. There were no other comments from the public on this item.

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 12, 2007. The Final Adoption meeting took place on June 12, 2007. 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, Mecklenburg County, to amend the 2006 NC Building and Fire Codes 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 (102 mm) sphere cannot pass through any opening up to a height of 34 inches (864 mm) from a height of 34 inches (864 mm) to 42 inches (1067 mm) above the adjacent walking surfaces, a sphere 8 inches (203 mm) in diameter shall not pass. A bottom rail or curb shall be provided that will reject the passage of a 2 inch (51 mm) diameter sphere.

Motion/Second/Passed – The Petition was Adopted unanimously. Subject to approval by the Rules Review Commission, the effective date will be 9/1/07.

Item D – 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 Division of Child Development in the Department of Health and Human Services.

Motion/Second/Passed – The Petition was Disapproved unanimously.

Item D – 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-5 lavatories in spaces open to corridors.

403.2 Separate facilities. Where plumbing fixtures are required, separate facilities shall be provided for each sex.

Exceptions:

1. Separate facilities shall not be required for private facilities.
2. Separate employee facilities shall not be required in occupancies in which 15 or less people are employed.
3. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 15 or less.
4. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 50 or less.
5. Except as provided in Section 405.3.2.

405.3.2 Public lavatories. In employee and public toilet rooms, the required lavatory shall be located in the same room as the required water closet, except in Education K-5, lavatories may be provided in a common toilet room vestibule, visible from the corridor.

NCDOI and NCDPI comments written comments were provided to the Council. Motion/Second/Passed – The Petition was Adopted unanimously. Subject to approval by the Rules Review Commission.

Item D – 4 Request by Wayne Hamilton to amend the 2006 NC Building and Fire Codes to address Alarm activations. The proposed amendment is as follows:

401.3.2 Alarm activations. Upon activation of a fire alarm signal, employees or staff shall immediately notify the fire department and shall immediately implement their approved fire safety and evacuation plan.

Motion/Second/Passed – The Petition was Adopted unanimously. Subject to approval by the Rules Review Commission.

Item D – 5 Request by Wayne Hamilton to amend the 2006 NC Building and Fire Codes, Section 404.2. The proposed amendment is as follows:

404.2 Where required. An approved fire safety and evacuation plan shall be prepared and maintained for the following occupancies and buildings.

Add additional item 12 as below:

12. Other occupancy Groups having a fire alarm system shall have an approved evacuation plan.

Motion/Second/Passed – The Petition was Adopted unanimously. Subject to approval by the Rules Review Commission.

Item D – 6 Request by David Smith, Residential Ad Hoc Committee, to add Section R324 to the 2006 NC Residential Code. The proposed amendment is as follows based on the 2006 IRC, Section R323:

Section R324
ELEVATORS AND PLATFORM LIFTS

R324.1 Elevators. Where provided, passenger elevators, ~~limited use/limited application elevators~~ or private residence elevators shall comply with ASME A17.1.

R324.2 Platform lifts. Where provided, platform lifts shall comply with ASME A18.1.

~~R324.3 Accessibility. Elevators or platform lifts that are part of an accessible route required by Chapter 11 of the *International Building Code*, shall comply with ICC A117.1. Deleted.~~

R324.4 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 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.

NCDOL comments written comments were provided to the Council.

Motion/Second/Passed – The Petition was Adopted unanimously. Subject to approval by the Rules Review Commission.

Item D – 7 Request by Dan Tingen, Chairman, to amend the 2002/2006 NC Residential Code Section R302.1 by temporary rule based on public comment. The proposed amendment is as follows:

R302.1 Exterior walls. (no changes to Section)

Exceptions:

1. Tool and storage sheds, playhouses and similar structures exempted from permits by R105.2 are not required to provide wall protection based on location on the lot. Projections beyond the exterior wall shall not extend over the lot line.
2. In townhouse construction (3 or more attached dwellings), soffit shall be securely attached to framing members and shall be constructed using one of the following methods:
 - 2.1 Non-Combustible material other than Aluminum.
 - 2.2 Aluminum and Vinyl soffit installed over ¾ wood sheathing or 5/8" gypsum board.

Venting requirements shall apply to both soffit and underlayments and shall not exceed the minimum net free air requirements by 150% established in section R806.2.

Motion/Second/Passed – The Petition for temporary rule was Adopted unanimously. Subject to approval by the Rules Review Commission, the effective date will be 8/1/07.

Part E – Reports

Chairman's Report

- Brad Lail has resigned his position on the Council.
- Lon Culbertson has not returned his ethics form and his term expires this year.
- The Council will hold all 4-meetings in Raleigh during 2007-2008.

Ad Hoc Committee Reports

- All Committees are complete with the exception of the following:
- Alan Perdue, Fire Ad Hoc Committee
- John Hitch, Accessibility Ad Hoc Committee
- David Smith, Residential Ad Hoc Committee
- Steve Knight, Building (16-end) Ad-Hoc Committee
- All reported that work would be complete in time to introduce petitions for the 2009 Codes at the September 11, 2007 meeting.

Staff Report

- Chris Noles reported on the DOI Engineering Newsletter. To receive the newsletter sign up at www.ncdoi.com under the Listserv.

Legislative Update

- Brandon Truman reported on the 2007 bills that affect the Council.
- Wayne Goodwin reported on the 2007 agency bills that affect the Council.

Part F – Appeals

No appeals were heard at this meeting.

Sincerely,

Chris Noles
Secretary, NC Building Code Council