

**Minutes of the North Carolina Building Code Council  
September 14-15, 2009  
Raleigh, NC**

All members of the North Carolina Building Code Council were present for the Meeting with the exception of Paula Strickland and Hawley Truax. All members were present for the Work Session and Hearing except Paula Strickland and Hawley Truax.

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 7-8, 2009 at the NC Department of Insurance, OSFM, 322 Chapanoke Road, Raleigh, North Carolina, 27603 in the classroom downstairs.

**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.**

There were no actual or potential conflicts of interest noted.

**Item A – 2 Approval of minutes of the June 9, 2009 NC Building Code Council Meeting.**

- It was identified that the minutes from the March 2009 meeting need to be amended and the website updated to reflect the change.

Motion/Second /Passed – The June 9, 2009 minutes were approved with the amendment.

**Item A – 3 Request by Nick Smith, City of Boiling Springs Lake, 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.

Motion to refer back to Boiling Springs Lake/Second/Passed.

\*Item needs to be adopted as a local ordinance before being submitted to the Building Code Council.

#### **Item A – 4 Rules Review Commission Meeting Report**

- Barry Gupton reported that there were two Plumbing Code items from the June BCC meeting that were approved and sent to the Rules Review Commission. Both were approved by the Rules Review Commission. These two items were NC Plumbing Code 901.2.1 Venting required and NC Plumbing Code Appendix C Subsurface Landscape Irrigation Systems.

#### **Item A – 4(A) Report on Approval of Testing Agencies**

- Ron Chilton reported that the investigation and evaluation of the 3<sup>rd</sup> Party Agency (NSF) was found in order with their application and the investigation team approved them as a 3<sup>rd</sup> Party listing agency for nine different electrical categories.

#### **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.

Motion – Alan Perdue/Second – Butch Simmons/Passed – The Petition was granted unanimously and was referred to the Building and Fire committees for review.

**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”

**The following substitute modification was introduced to amend the 2009 NC Plumbing Code with the 2009 IPC language.**

**608.8 Identification of potable and nonpotable water.** In all buildings where ~~two or more water distribution systems, one potable water and the other nonpotable water systems~~ are installed, ~~each system the piping conveying the nonpotable water~~ shall be identified either by color marking or metal tags in accordance with Sections 608.8.1 through 608.8.3. All nonpotable water outlets such as hose connections, open ended pipes, and faucets shall be identified at the point of use for each outlet with the words, “Nonpotable – not safe for drinking.” The words shall be indelibly printed on a tag or sign constructed of corrosion-resistant waterproof material or shall be indelibly printed on the fixture. The letters of the words shall be not less than 0.5 inches in height and color in contrast with the background on which they are applied.

**608.8.1 Information.** Pipe identification shall include the contents of the piping system and an arrow indicating the direction of flow. Hazardous piping systems shall also contain information addressing the nature of the hazard. Pipe identification shall be repeated at maximum intervals of 25 feet (7620 mm) and at each point where the piping passes through a wall, floor or roof. Lettering shall be readily observable within the room or space where the piping is located.

**608.8.2 Color.** The color of the pipe identification shall be discernable and consistent throughout the building. See Table 608.8.2 for color identification. The color purple shall be used to identify reclaimed, rain and gray water distribution systems.

**Table 608.8.2 Identification Color – Deleted.**

Motion – Al Bass/Second – Butch Simmons/Passed – The Petition was granted unanimously and was referred to the Plumbing committee for review.

**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.**

**The following substitute modification was introduced to amend the 2009 NC Plumbing Code with the 2009 IPC language.**

**702.1 Above-ground sanitary drainage and vent pipe.** Above-ground soil, waste and vent pipe shall conform to one of the standards listed in Table 702.1.

**Exception:** Plastic pipe shall not be used for drain, waste and vents in buildings in which the top occupied floor exceeds 75 feet in height.

**702.4 Fittings.** Pipe fittings shall be approved for installation with the piping material installed and shall conform to the respective pipe standards or one of the standards listed in Table 702.4.

**Exception:** Plastic pipe shall not be used for drain, waste and vents in buildings in which the top occupied floor exceeds 75 feet in height.

**1102.2 Inside storm drainage conductors.** Inside storm drainage conductors installed above ground shall conform to one of the standards listed in Table 702.1.

**Exception:** Plastic pipe shall not be used for storm drainage conductors in buildings in which the top occupied floor exceeds 75 feet in height.

**1102.7 Fittings.** Pipe fittings shall be approved for installation with the piping material installed, and shall conform to the respective pipe standards or one of the standards listed in Table 1102.7. The fittings shall not have ledges, shoulders or reductions capable of retarding or obstructing flow in the piping. Threaded drainage pipe fittings shall be of the recessed drainage type.

**Exception:** Plastic pipe shall not be used for storm drainage conductors in buildings in which the top occupied floor exceeds 75 feet in height.

Motion – Al Bass/Second – Butch Simmons/Passed – The Petition was granted unanimously and was referred to the Plumbing committee for review.

**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.

**Delete the 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.**

Motion/Second/Passed – The Petition was granted unanimously and was referred to the Residential committee for review.

**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”.

Motion – David Smith/Second/Passed – The Petition was granted unanimously and was referred to the Residential committee for review.

**Item B – 6 (Referred to as Item B – 6(A) in the meeting)**

**Request by Alan Perdue, NCBC, to amend the 2009 Fuel Gas Code, Section 406.7. The proposed amendment is as follows:**

**406.7 Purging.** Purging of piping shall comply with Sections 406.7.1 through 406.7.4.

**406.7.1 Removal from service.** Where gas piping is to be opened for servicing, addition, or modification, the section to be worked on shall be turned off from the gas supply at the nearest convenient point, and the line pressure vented to the outdoors, ~~or to ventilated areas of sufficient size to prevent accumulation of flammable mixtures.~~ The remaining gas in this section of pipe shall be displaced with an inert gas as required by Table 406.7.1.

**Exception:** If the line pressure cannot be vented to the outdoors; the building and all effected spaces shall be evacuated of personnel not purging the gas lines, quantities of flammable gas shall not exceed 25% of the lower explosive limit as measured by a combustibile gas detector, eliminate all ignition sources and provide adequate ventilation to prevent accumulation of flammable gases.

**TABLE 406.7.1  
LENGTH OF PIPING REQUIRING PURGING WITH  
INERT GAS FOR SERVICING OR MODIFICATION**

NOMINAL PIPE SIZE (inches)	LENGTH OF PIPING REQUIRING PURGING
2 <sup>1</sup> / <sub>2</sub>	> 50 feet
3	> 30 feet
4	> 15 feet
6	> 10 feet
8 or larger	Any length

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

**406.7.2 Placing in operation.** Where piping full of air is placed in operation, the air in the piping shall be displaced with fuel gas, except where such piping is required by Table 406.7.2 to be purged with an inert gas prior to introduction of fuel gas. The fuel gas flow shall be continued without interruption until the vented gas is free of air. After purging, the vent shall then be closed. Where required by Table 406.7.2, the air in the piping shall first be displaced with an inert gas, and the inert gas shall then be displaced with fuel gas.

**TABLE 406.7.2  
LENGTH OF PIPING REQUIRING PURGING WITH  
INERT GAS BEFORE PLACING IN OPERATION**

NOMINAL PIPE SIZE (inches)	LENGTH OF PIPING REQUIRING PURGING
3	> 30 feet
4	> 15 feet
6	> 10 feet
8 or larger	Any length

For SI: 1 inch = 25.4 mm, 1 foot = 304.8 mm.

**406.7.3 Discharge of purged gases.** The open end of piping systems being purged shall not discharge into confined spaces or areas where quantities of flammable gas can exceed 25% of the lower explosive limit as measured by a combustible gas detector. All potential sources of ignition shall be identified and eliminated or controlled. Precautions shall be taken to maintain the concentration of the flammable gas below 25% of the lower explosive limits, such as adequate ventilation, control of the purging rate and other measures, as appropriate.

**406.7.4 Placing appliances and equipment in operation.** After the piping system has been placed in operation, all appliances and equipment shall be purged and then placed in operation, as necessary.

**406.7.5 Personnel Training.** Personnel performing purging operation shall be trained to the hazards associated with purging and shall not rely on odor when monitoring the concentration of combustible gas.

**This Petition for Rulemaking was adopted as an Emergency Rule to be effective 10/15/09. The notice and text has been posted on the NCDOI website at the following link.**

[http://www.ncdoi.com/OSFM/Engineering/BCC/engineering\\_bcc\\_temp\\_rules.asp](http://www.ncdoi.com/OSFM/Engineering/BCC/engineering_bcc_temp_rules.asp)

Motion – Alan Perdue/Second – Al Bass/Passed – The Petition was granted unanimously and was referred to the Fire and Mechanical committees for review.

**Item B – 7 (Referred to as Item B – 6(B) in the meeting)  
Request by Kim Reitterer and Al Bass, NC Building Code Council, to add Appendix H, Rainwater Harvesting, to the 2009 NC Plumbing Code. The proposed amendment is as follows:**

**The text has been posted on the NCDOI website at the following link.**

**September 15, 2009 (Item B-7, Rainwater Harvesting)**  
[http://www.ncdoi.com/OSFM/Engineering/BCC/engineering\\_bcc\\_minutes.asp](http://www.ncdoi.com/OSFM/Engineering/BCC/engineering_bcc_minutes.asp)

Motion – Al Bass/Second – Kim Reitterer/Passed – The Petition was granted unanimously and was referred to the Plumbing committee for review.

Staff Note – This needs to be coordinated with Appendix C-1.

**Item B – 8 (Referred to as Item B – 6(C) in the meeting)**

**Request by Tom Turner, NC Building Code Council, to amend the 2009 NC Administrative Code, Section 107.2. The proposed amendment is as follows:**

**107.2 Inspection requests.** It shall be the duty of the permit holder or his or her agent to notify the code enforcement official when work is ready for inspection and to provide access to and means for inspection ~~of the work for~~ any inspections that are required by this code.

Motion – Tom Turner/Second – David Smith/Passed – The Petition was granted unanimously and was referred to the Administrative committee for review.

**Item B – 9 (Referred to as Item B – 6(D) in the meeting)**

**Request by Tom Turner, NC Building Code Council, to amend the 2009 NC Administrative Code, Section 107.3. The proposed amendment is as follows:**

**107.3 Approval required.** Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code enforcement official. The code enforcement official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder that the work fails to comply with the technical codes. In the event code violations exist the CEO shall specifically identify the provisions of the technical code found to be inconsistent with the inspection. Any work that does not comply shall be corrected and shall not be covered or concealed until authorized by the code enforcement official.

Motion – Tom Turner/Second – David Smith/Passed – The Petition was granted unanimously and was referred to the Administrative committee for review.

**Item B-10 (Referred to as Item B – 6(E) in the meeting)**

**Request by Laurel Wright, on behalf of the Residential Committee, to amend the 2009 NC Residential Code, Section R311.6.1. The proposed amendment is as follows:**

**R311.6.1 Maximum slope.** Ramps shall have a maximum slope of one unit vertical in ~~eight units horizontal (12.5 percent slope)~~ twelve units horizontal (8.3-percent slope).

**Exception:** Where it is technically infeasible to comply because of site constraints, ramps may have a maximum slope of one unit vertical in eight horizontal (12.5-percent slope).

Motion – David Smith/Second – Butch Simmons/Passed – The Petition was granted unanimously and was referred to the Residential committee for review.

**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 on September 14, 2009 and the Final Adoption meeting may take place on or after December 8, 2009. The end of the public comment period for written submissions is October 2, 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 12<sup>th</sup> 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 B <sup>c</sup>	Annually	Employees
<u>Group B<sup>e</sup></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.

There were no comments from the public on this item.

**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.

There were no comments from the public on this item.

**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...

There were no comments from the public on this item.

**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)

There were no comments from the public on this item.

**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.

There were no comments from the public on this item.

**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.

A written comment was received from the Child Fatality Task Force in support of CO detectors.

**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.

A written comment was received from the Child Fatality Task Force in support of CO detectors, Item C-7 in particular.

**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)

There were no comments from the public on this item.

**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.

There were no 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 June 8, 2009. The Final Adoption meeting took 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 with an effective date of January 1, 2011 unless otherwise noted.

**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 1/2" to 12", 1 1/4" pipe handrail. The height between the top landing of the stair and the roof shall not exceed 20'-0".

Motion – Butch Simmons/Second – Tom Turner/Granted – The motion was adopted unanimously.

**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.

Motion with an effective date as soon as approved by the Rules Review Commission – Ralph Euchner/Second – Ed Moore/Granted – The motion was adopted unanimously.

**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.

Motion – Alan Perdue/Second – Butch Simmons/Granted – The motion was adopted unanimously.

**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.

Motion – David Smith/Second – Tom Turner/Disapproved – The Petition was unanimously denied.

**Part E – Reports**

**Chairman’s Report**

- Dan Tingen, Chair, discussed a report the he sent to the General Assembly.

- Dan Tingen reported that the Administrative committee will try to meet at the December Council meeting.

- The Chair discussed a letter drafted by Margie Meares, of Mathis Consulting, to the US Department of Energy.

\*Motion for the Chair to forward letter to US Department of Energy – Al Bass/Second – Butch Simmons/Granted.

- Dan Tingen asked Mathis Consulting to help construct a letter that asks that Manufactured Homes meet the same energy requirements as site built homes and commercial structures.

### **Ad Hoc Committee Reports**

- Butch Simmons reported that the 2012 Building Code Ad Hoc Committee met on September 10, 2009. The committee covered through Chapter 4 and made some assignments for two additional meetings that have been scheduled for October 7<sup>th</sup> and October 27<sup>th</sup>. Butch Simmons reported that Tom Turner asked that he be excused from the Building Code Ad Hoc Committee.

- Steve Knight reported that the 2012 Structural Ad Hoc Committee met for the first time on September 3, 2009. The next meeting will be held on Wednesday, September 16<sup>th</sup> and they will set future dates at that meeting.

- Alan Perdue reported that the 2012 Fire Code Ad Hoc Committee has been appointed and that staff is working on identifying the changes that are currently taking place so this can be given to all the members before the first meeting.

- David Smith reported that the 2012 Residential Code Ad Hoc Committee has met twice and future meetings have been scheduled.

- Tom Turner reported that the 2012 Energy Code Ad Hoc Committee anticipates being completed before December.

- Dan Tingen announced that he has appointed Carole Acquesta as the 2012 Accessibility (ANSI) chairperson.

- Dan Tingen asked that all Ad Hoc committees make sure they are in sync with Mechanical, Plumbing and Fuel Gas Codes.

## **Standing Committee Reports**

- Steve Knight announced the Structural Committee met on September 14<sup>th</sup> about Item C-3.
  
- Alan Perdue announced the Fire Committee meeting immediately following the Work Session on December 7, 2009.
  
- David Smith announced the Residential Committee meeting immediately following the Work Session on December 7, 2009.
  
- Dan Tingen reported that the Administrative Committee will meet sometime between now and the December council meeting.
  
- Kim Reitterer reported that Bob Ruffner brought to the Electrical committee's attention the disparity between HUD requirements for Manufactured Homes and the National Electrical Code. The committee needs to work with staff on this issue.
  
- Tom Turner reported that he conducted a random survey of Code Officials, Architects, and Engineers on the consideration of the code cycle. He asked if there needed to be another committee appointed to look into this issue further. Dan Tingen recommended that we add this item to the December Agenda for further consideration.

## **Staff Reports**

- Chris Noles made the Council aware of House Bills 687, 749, 780, 1031, and 1409, and Senate Bills 114, 425, 689, 735, and 831.
  
- Chris Noles reported that DOI staff continues to assist the Ad Hoc Committees on their work continuing to move forward.
  
- Barry Gupton reported on the Ad Hoc Committee schedules and deadlines for the 2012 Codes.

## **TIMELINE**

Petition	12/8/2009 OAH Posting	2/15/2010
Hearing	3/2010	
Adoption	6/2010	
RRC	8/2010	
ICC	9/2010 through 3/2011	
Effective	6/1/2011	

### **Public Comments**

There were no additional comments from the public.

### **Election of Officers**

- Dan Tingen – Chairman
- John Hitch – Vice-Chairman

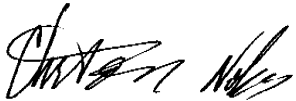
### **Part F – Appeals**

**Item F – 1** David C. Faustin – NCDOI  
- Motion to Dismiss – DISMISSED

**Item F – 2** REBIC – Mecklenburg County  
- Hearing held at the close of the September BCC meeting.

**Item F – 3** Moseley Architects – NCDOI  
- To be held until the December BCC meeting.

Sincerely,



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