

Minutes of the North Carolina Building Code Council
June 14th, 2011
Raleigh, NC

All members of the North Carolina Building Code Council were present for the Council Meeting with the exception of Ed Moore and Kim Reitterer.

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 August 22-23, 2011 at the North Carolina Department of Insurance, 322 Chapanoke Road, Raleigh, NC 27603, in the downstairs classroom.

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 March 8, 2011 NC Building Code Council Meeting.

A motion to accept the March 8th meeting minutes was made by Mack Nixon and seconded. The minutes were approved with the following revision:

- **Item B-3(a)** ~~Fuel Gas~~ Mechanical Committee

Item A - 3 Approval of minutes of the April 21, 2011 NC Building Code Council Meeting.

A motion to accept the April 21st meeting minutes was made by Bob Ruffner and seconded by Al Bass. The minutes were approved.

Item A - 4 City of Fayetteville Local Fire Code Ordinance

Alan Perdue made a motion to approve this petition, seconded by Lon McSwain. The council voted unanimously to accept the motion and the petition is approved.

Item A - 5 Rules Review Commission Meeting Report

Barry reported that the rules from the December BCC meeting were approved at the May RRC meeting. The rules from the April BCC meeting are on the June RRC agenda. SL2011-13 (S22) was ratified on 3/16/11 and expires on 7/1/12. This temporary statute change lowers the "substantial" threshold to \$500,000 and requires notice of the fiscal impact publication in the NC Register along with the hearing notice. Beginning with the September BCC meeting, all adopted rules must include a cost estimate (\$0, <\$500,000, ≥\$500,000) and an explanation when submitted to the RRC for approval.

Item A - 6 Public Comments

Jim Bartl asked about code effective dates - Chris Noles announced that the dates will be sent out in the newsletter.

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.

Item B – 1 Other Petitions for Rulemaking.

There were none.

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 13, 2011 and the Final Adoption meeting may take place on or after August 22, 2011. The written public comment period expires on July 15, 2011.

Item C – 1 Request by James Bartl, AIA and Jim Tschupp, AIA, to amend the 2012 NC Administrative Code and Policies, Section 106. The proposed amendment is as follows:

Add Exception to 106.2.1 Requirements;

- Except projects using BIM-IPD process see 106.2.3.1

Add Exception to 106.2.2 Additional data;

- Except projects using BIM-IPD process see 106.2.3.1

106.2.3.1 Building Information Modeling – Integrated Project Delivery Projects.

BIM: model based technology linked with a data base of project information, using three dimensional, real time dynamic modeling software, to plan all building construction. The model encompasses building geometry, spatial relationships, geographic information, and quantities and properties of building components.

IPD: a project delivery method that integrates key participants (owner, Architect, Engineer, contractor, code official, et al), systems, business structures and practices into a process that collaboratively plans and constructs facilities. The collaborative process begins in early design and continues through all phases of design, fabrication and construction.

Commentary: this applies to any project delivery method employing three dimensional modeling software, to virtually construct all building components, by a collaborative team based process from design start to construction completion.

Projects employing a Building Information Modeling – Integrated Project Delivery (BIM-IPD) process will replace the requirements of 106.2.3, with the following permitting and inspection steps.

- At the project start, the owner's project team (Architect, Engineer, Contractor, et al) will reach agreement with the Code Enforcement Official (CEO) on the prevailing code compliance strategy for the full scope of the project, to be documented in an electronic Appendix B format or an equivalent format, acceptable to the CEO.
- The CEO may issue a single project master permit, based on the initial project description and code compliance strategy agreement.
- The CEO shall work collaboratively to review building components or details as scheduled by the owner's project team.

- d). The CEO shall inspect built work, as described in Section 107 of this code.
 - (1). Concurrence on compliance with the code, with respect to both the model and built product, will be gained before inspections are approved.
- e). The owner's project team will submit a validation document, at project substantial completion, documenting the building as constructed and compliance with the NC State Building Code, for records retention by the AHJ.
 - Validation document: may be a three dimensional model, two dimensional electronic drawings and records, or a combination of both, accurately reflecting the completed building as approved by the code official in the field, and verified with respect to same.
 - Where the validation document varies from the approved virtual model regarding building code compliance, the related Architect/Engineer must approve the change.
 - Receipt of the validation document will be a condition on issuance of Certificate of Occupancy.

Jim Bartl, with Mecklenburg County Government, recommends the Council adopt this code change.

Harry McKinney, Jr., with Clancy & Theys Construction, recommends the Council adopt this code change.

Clymer Cease, with Pearce Brinkley Cease and Lee, recommends the Council adopt this code change.

Brunson Russum, with Single Source Design, recommends the Council adopt this code change.

Mike Clark, with Skanska, recommends the Council adopt this code change.

-The people above spoke as part of the proponent group.

Wayne Hamilton, with the City of Asheville, is neither for nor against the code change and will provide the Council with written commentary.

Rick Frady, with Catawba County, is neither for nor against the code change.

-Wayne Hamilton and Rick Frady both wanted clarification that this rule would not force Jurisdictions to accept BIM-IPD submittals.

Vaughn Wicker, with ICC, is neither for nor against the code change. He updated the BCC on ICC development of BIM Codes.

Item C - 2 Request by Vicky L. Moody, Project Manager, and Charles Knapp, Owner of Rooster Ridge Stairlifts, to amend the 2012 NC Building Code, Section 1109.7. The proposed amendment is as follows: [Note; the item approved was substitute language presented at the meeting and is different from the agenda]

1109.7 Lifts. Platform (wheelchair) lifts are permitted to be a part of a required accessible route in new construction where indicated in Items 1 through 10. Platform (wheelchair) lifts shall be installed in accordance with ASME A18.1.

1. An accessible route to a performing area and speaker platforms in Group A occupancies.

2. An accessible route to wheelchair spaces required to comply with the wheelchair space dispersion requirements of Sections 1108.2.2 through 1108.2.6.
3. An accessible route to spaces that are not open to the general public with an occupant load of not more than five.
4. An accessible route within a dwelling or sleeping unit.
5. An accessible route to wheelchair seating spaces located in outdoor dining terraces in Group A-5 occupancies where the means of egress from the dining terraces to a public way are open to the outdoors.
6. An accessible route to jury boxes and witness stands; raised courtrooms stations including judges' benches, clerks' stations, bailiffs' stations, deputy clerks' stations and court reporters' stations; and to depressed areas such as the well of the court.
7. An accessible route to load and unload areas serving amusement rides.
8. An accessible route to play components or soft contained play structures.
9. An accessible route to team or player seating areas serving areas of sport activity.
10. An accessible route where existing exterior site constraints make use of a ramp or elevator infeasible.

Exception: A chairlift that complies with ASME A18.1 shall be permitted to be a part of a required accessible route in new construction ~~and in alterations of existing occupancies:~~

1. Religious organizations or entities controlled by religious organizations, including places of worship.
2. Private clubs or establishments exempted under Title II of the Civil Rights Act of 1964.

3409.8.3 Platform lifts. Platform (wheelchair) lifts complying with ICC A117.1 and installed in accordance with ASME A18.1 shall be permitted as a component of an accessible route.

Exception: A chairlift that complies with ASME A18.1 shall be permitted to be a part of a required accessible route in alterations of existing occupancies in:

1. Religious organizations or entities controlled by religious organizations, including places of worship.
2. Private clubs or establishments exempted under Title II of the Civil Rights Act of 1964.

Vicky Moody, with Rooster Ridge Stairlifts, recommends the Council adopt this code change.

Charles Knapp, with Rooster Ridge Stairlifts, recommends the Council adopt this code change.

David Crawford, with AIA North Carolina, opposes this code change.

Wayne Hamilton, with the City of Asheville, opposes this code change.

Rick Frady, with Catawba County, opposes this code change.

Item C-3(a) Request by Jerry Tannery and Leon Skinner with the City of Raleigh, to amend the 2012 NC Fuel Gas Code, Section 311. The proposed amendment is as follows: [Note; the original item B-3 was modified at the meeting into B-3(a), B-3(b) and B-3(b) and is different from the agenda]

2009 North Carolina Fuel Gas Code, Section 311 Carbon Monoxide Alarms

311.1 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) as directed by the alarm manufacturer.

311.2 Where required-existing dwellings. In existing dwellings, where interior alterations, repairs, or additions requiring a building permit occur, or where one or more sleeping rooms are added or created, or where fuel-fired appliances are added or replaced, Carbon Monoxide Alarms shall be provided in accordance with Section 313.1.1.

Exception: Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, or the installation of a fuel-fire appliance that cannot introduce Carbon Monoxide to the interior of the dwelling, are exempt from the requirements of this section.

311.3 Alarm requirements. The required Carbon Monoxide Alarms shall be 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. Battery powered, plug-in, or hard-wired alarms are acceptable for use.

Item C-3(b) Request by Jerry Tannery and Leon Skinner with the City of Raleigh, to amend the 2012 Mechanical Code, Section 313. The proposed amendment is as follows:

2009 North Carolina Mechanical Code, Section 313 Carbon Monoxide Alarms

313.1 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) as directed by the alarm manufacturer.

313.2 Where required-existing dwellings. In existing dwellings, where interior alterations, repairs, or additions requiring a building permit occur, or where one or more sleeping rooms are added or created, or where fuel-fired appliances are added or replaced, Carbon Monoxide Alarms shall be provided in accordance with Section 313.1.1.

Exception: Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, or the installation of a fuel-fire appliance that cannot introduce Carbon Monoxide to the interior of the dwelling, are exempt from the requirements of this section.

313.3 Alarm requirements. The required Carbon Monoxide Alarms shall be 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. Battery powered, plug-in, or hard-wired alarms are acceptable for use.

Item C-3(c) Request by Jerry Tannery and Leon Skinner with the City of Raleigh, to amend the 2012 NC Plumbing Code, Section 315. The proposed amendment is as follows:

2009 North Carolina Plumbing Code, Section 315 Carbon Monoxide Alarms

315.1 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) as directed by the alarm manufacturer.

315.2 Where required-existing dwellings. In existing dwellings, where interior alterations, repairs, or additions requiring a building permit occur, or where one or more sleeping rooms are added or created, or where fuel-fired appliances are added or replaced, Carbon Monoxide Alarms shall be provided in accordance with Section 313.1.1.

Exception: Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, or the installation of a fuel-fire appliance that cannot introduce Carbon Monoxide to the interior of the dwelling, are exempt from the requirements of this section.

315.3 Alarm requirements. The required Carbon Monoxide Alarms shall be 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. Battery powered, plug-in, or hard-wired alarms are acceptable for use.

Leon Skinner, with the City of Raleigh, recommends the Council adopt this code change.

Item C - 4 Request by Luke Hirst, to amend the 2012 NC Plumbing Code, Section 403.2. The proposed amendment is as follows:

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 dwelling units and sleeping units.
2. Separate facilities shall not be required in structures or tenant spaces with a total occupant load, including both employees and customers, of 25 or less.
3. Separate facilities shall not be required in mercantile occupancies in which the maximum occupant load is 100 or less.
4. Where the code requires only one toilet facility for each sex, two unisex facilities may be substituted for separate sex facilities.

There were no comments from the public.

Item C - 5 Request by David Smith, NC Building Code Council, to amend Section R313 of the 2009 NC Residential Code and Section R315 of the 2012 NC Residential Code. The proposed amendment is as follows:

2009 NC Residential Code

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) as directed by the alarm manufacturer.

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

Exception: Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, or the installation of a fuel-fire appliance that cannot introduce carbon monoxide to the interior of the dwelling, are exempt from the requirements of this section.

R313.1.3 Alarm requirements. The required carbon monoxide alarms shall be 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. Battery powered, plug-in, or hard-wired alarms are acceptable for use.

2012 NC Residential Code

R315.1 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) as directed by the alarm manufacturer.

R315.2 Where required-existing dwellings. ~~For~~ ~~in~~ existing dwellings, where interior alterations, repairs, or additions ~~fuel-fired appliance replacements, or additions~~ requiring a building permit occurs, or where one or more sleeping rooms are added or created, or where fuel-fired appliances are added or replaced, carbon monoxide alarms shall be provided in accordance with Section 313.1.1.

Exception:

Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch or deck, or the installation of a fuel-fire appliance that cannot introduce carbon monoxide to the interior of the dwelling, are exempt from the requirements of this section.

R315.3 Alarm requirements. The required carbon monoxide alarms shall be 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. Battery powered, plug-in, or hard-wired alarms are acceptable for use.

There were no comments from the public.

Item C - 6 Request by Angela Wooten, AIA, to amend the 2012 NC Building Code, Section 1210.1. The proposed amendment is as follows:

1210.1 Floors. In other than dwelling units, toilet and bathing room floors shall have a smooth, hard, nonabsorbent surface that extends upward onto the walls at least ~~6 inches (152mm)~~ 3 inches (76mm).

There were no comments from the public.

Item C - 7 Request by Wayne Hamilton, NC Fire Service Code Revision Committee, to amend the 2009 and 2012 NC Fire Code, Section 106. The proposed amendment is as follows:

**SECTION 106
INSPECTION SCHEDULES**

(Preceding text unchanged - Delete and substitute the last paragraph only)

~~On unattended or abandoned structures, the Fire Official shall affix a letter on the premises in a conspicuous place at or near the entrance to such premises requesting an inspection in accordance with Section 107 of this code. This order of notice shall be mailed by registered or certified mail, with return receipt requested, to the last known address of the owner, occupant or both. If the owner, occupant or both shall fail to respond to said notice within ten (10) calendar days, these actions by the Fire Official shall be deemed to constitute an inspection in accordance with this section.~~

On vacant structures, the Fire Code Official shall affix a notice on the premises in a conspicuous place at or near the entrance to such premises requesting an inspection in accordance with Section 106.1 of this code. If the owner, occupant or both shall fail to respond to said notice within ten (10) calendar days, this action by the Fire Code Official shall be deemed to constitute compliance with the inspection schedule.

Wayne Hamilton, with the City of Asheville, recommends the Council adopt this code change.

Item C - 8 Request by Robert Privott, NCHBA, to amend the 2009 Administrative Code and Policies, Section 107. The proposed amendment is as follows:

**SECTION 107
INSPECTIONS**

107.1 General. The inspection department shall perform the following inspections:

1. Footing inspection;
2. Under slab inspection, as appropriate;
3. Foundation inspection, wood-frame construction;
4. Rough-in inspection;
5. Building framing;
6. Insulation inspection;
7. Fire protection inspection; and

8. Final inspection

Footnote:

1. For residential construction, inspections shall be limited to the comprehensive list above. Requirements for additional inspections must be approved by the North Carolina Building Code Council before being required by local jurisdictions except where unforeseen or unique circumstances exist. In the absence of approval by the Building Code Council the requirements for additional inspection shall have no force and effect.

Wayne Hamilton, with the City of Asheville, opposes this code change.

Rick Frady, with Catawba County, opposes this code change.

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 7, 2011. The Council will give no further consideration to Petitions that are disapproved. Petitions that are approved will proceed through the Rulemaking process.

Notice of Rulemaking proceedings on Items 1-32 from the April 21, 2011 BCC Agenda was posted on February 15, 2011. The Public Hearing was held March 7, 2011 and the written public comment period expired on April 18, 2011. The Final Adoption took place on April 21, 2011. Please refer to the April 21, 2011 BCC Minutes.

Part E - Reports

Chairman's Report

-Dan Tingen reported that there were vacancies on the Rehab Committee and that he has been asked to fill those positions. The appointments are as follows:

Leon Skinner - Chairman - City of Raleigh
Vickie Stokes - Mecklenburg County
Julius Register - Greensboro

-Dan Tingen announced that the next BCC meeting will be moved to August 22-23, from September.

Ad Hoc Committee Reports

There were none.

Standing Committee Reports

-David Smith reported that he spoke with Matt Dobson, with the Vinyl Siding Institute and Jeff Inks, with the Window and Door Manufacturers Association about Reflective Sunlight on Vinyl Siding. He stated that Mr. Inks is hoping to have a report by late Fall.

-Mack Nixon read an article, pertaining to Sprinkler Systems and Fire Survival Ratings in Michigan, to the Council.

Staff Reports

-Chris Noles stated that the communication between Staff and the Public, Inspectors and Designers is through the website and through the newsletter.

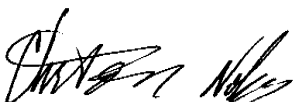
Public Comments

There were none.

Part F - Appeals - Charlie Horne/Chatham County Board of Commissioners - NCBCCC

This appeal is scheduled for Monday, August 22, 2011 immediately following the NCBCCC meeting.

Sincerely,



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