

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Building Code Council

RULE CITATION: North Carolina Residential Code, Chapter 1

DEADLINE FOR RECEIPT: TBD

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Section R101

There seem to be many terms here that are defined in Chapter 2 (of the 2018 code, which is what I had to work with when I reviewed this) that are not italicized here. Instances include “grade plane”, “accessory structure”, and “accessory building”. Check that all terms that are defined in Chapter 2 are italicized here.

In R101.1, p.1, you state that “[r]eferences to the International Codes shall mean the North Carolina Codes.” How does this work with the numbering of the different sections and subsections? For instance, if there is a cross-reference to Section 105.2 of the International Code, but the NC Code added two subsections ahead of 105.2, wouldn't the numbering be wrong?

In R101.2, I have some questions about the following language:

...this code shall apply to . . . one or more detached one- and two-family dwellings and townhouses located on a parcel not more than three stories above grade plane in height with a separate means of egress and their accessory structures not more than three stories above grade plane in height.

First, I assume that the dwelling and townhouse must not be more than three stories above grade plane, but I think it's possible to read this to mean the parcel is not more than three stories above grade plane. Consider a revision for clarity.

Second, is “not more than three stories above grade plane in height” repeated? Or was the intent that accessory structures over three stories be covered by another Code?

In R101.2, the last sentence brings bed and breakfast homes into the coverage of the Residential Code. Is there any conflict here with the requirements of G.S. 143-138(b2)(3)—namely that the Fire Code contain requirements for bed and breakfast homes?

Brian Liebman
Commission Counsel

Date submitted to agency: February 7, 2024

In the Exception to R101.2, what is Section P2904? Is this part of the Residential Code, or does this belong to another technical code?

In R101.2.2, items 2, 4, and 6 are there cross references? The other accessory structures have cross references to the relevant parts of the code.

In R101.3, p.2, what is “a reasonable level of safety”? Please define “reasonable” in particular.

Section R102

In R102.1, I'm assuming that you mean a general and specific requirement of the Residential Code? Would there be a situation where there was a general requirement in the Residential Code and a more specific requirement in another Code?

In R102.2, does a local “law” also mean a local code? G.S. 143-138(e) states that the Building Code applies statewide and that no local codes may be effective without BCC approval.

In R102.4, what are the codes and standards referenced in this code?

In the exception to R102.4, there is no definition for “listing” in the 2018 edition of Chapter 2. Is this defined in the 2024 edition?

I don't quite understand the distinction between R102.4.1 and R102.4.2. It seems like they both say that the Residential Code prevails over any referenced code. What exactly does it mean to have “subject matter that is within the scope of this code”?

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

Brian Liebman
Commission Counsel

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