

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

AGENCY: Building Code Council

RULE CITATION: 2018 Administrative Code 204.3.5 (220315 Item B-7)

DEADLINE FOR RECEIPT: Thursday, November 10, 2022

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:

Insert an Oxford comma after “North Carolina Board of Architecture”.

Remove the comma after “(drawings and specifications)”.

“Registered design professional” is a defined term in Section 202 of the Building Code so it must be italicized.

“Construction documents” is a defined term in Section 202 of the Building Code so it must be italicized.

Insert an Oxford comma after “corporation”.

What is the authority to require “construction documents” “bear the North Carolina seal of a registered design professional” and include their affiliated entity? This needs to be cited as authority with G.S. 83A-13.

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

SUBMISSION FOR PERMANENT RULE

2018 NC Administrative Code

204.3.5 Design professional seal required (220315 Item B-7)

204.3.5 Design professional seal required. Where the General Statutes, North Carolina Board of Architecture and Registered Interior Designers, or the North Carolina Board of Examiners for Engineers and Land Surveyors require, no permit shall be issued unless the construction documents (drawings and specifications), bear the North Carolina seal of a registered design professional. Construction documents shall include the name and address of the business entity (individual, corporation or partnership) with whom the registered design professional is affiliated. Questions concerning this section should be directed to the North Carolina Board of Architecture and Registered Interior Designers or the North Carolina Board of Examiners for Engineers and Land Surveyors.

Exceptions: For permitting purposes, the seal of a registered design professional is not required when the building, structure or project involved is in one of the categories listed below, unless otherwise required pursuant to the provisions of the General Statutes or the technical codes:

1. A family residence, up to eight units attached with grade level exit, which is not a part of or physically connected with any other buildings or residential units;
2. A building upon any farm that is for the use of any farmer, unless the building is of such nature and intended for such use as to substantially involve the health or safety of the public;
3. An institutional or commercial building if it does not have a total cost of construction exceeding \$90,000;
4. An institutional or commercial building if the total building area does not exceed 2,500 square feet (2.32 m²) in gross floor area;
5. Alteration, remodeling or renovation of an existing building that is exempt under this section, or alteration, remodeling or renovation of an existing building or building site that does not alter or affect the structural system of the building; change the building's access or exit pattern; or change the live or dead load on the building's structural system. This subdivision shall not limit or change any other exemptions to this chapter or to the practice of engineering under Chapter 89C of the General Statutes.
6. The preparation and use of details and shop drawings, assembly or erection drawings, or graphic descriptions utilized to detail or illustrate a portion of the work required to construct the project in accordance with the plans and specifications prepared or to be prepared under the requirements or exemptions of this chapter.
7. Nothing in this chapter shall be construed to prevent any individual from making plans or data for buildings for himself or herself. This exemption does not apply to plans for places of religious worship.

(General Statute 83A-13)

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

AGENCY: Building Code Council

RULE CITATION: 2018 Residential Code R1001.2 and R202 Live/Work Unit (220315 Item B-3)

DEADLINE FOR RECEIPT: Thursday, November 10, 2022.

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:

“Repair” is a defined term in Section 202 of the Building Code so it must be italicized.

Insert an Oxford comma after “removal”.

“Dwellings” is a defined term in Section 202 of the Building Code so it must be italicized, in both instances.

Reinsert the “s” in “townhouse” to make it plural.

Remove the comma after “egress” to avoid a splice in the sentence.

Capitalize the “c” in “code” because this is a proper noun.

Are the “International Building Code” and “International Residential Code for One- and Two-family Dwellings” incorporated in Ch. 44?

Do you need to keep the deleted exception “2”?

What does it mean that the space “includes” a non-residential use? Does this mean the space can be used for both residential and non-residential uses?

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
Date submitted to agency: November 4, 2022

SUBMISSION FOR PERMANENT RULE

2018 NC Residential Code
R101.2 Scope (220315 Item B-3)

R101.2 Scope. The provisions of the *International Residential Code for One- and Two-family Dwellings* shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, *equipment*, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and *townhouses* 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. Single family dwellings otherwise permitted by this code shall include *bed and breakfast homes*.

Exceptions:

1. Live/work units ~~located in townhouses and~~ complying with the requirements of Section 419 of the *International Building Code* shall be permitted to be built as one- and two- family *dwellings* or townhouses. Fire suppression required by Section 419.5 of the *International Building Code* where constructed under the *International Residential Code for One- and Two-family Dwellings* shall conform to Section P2904.
2. Deleted.

2018 NC Residential Code
R202 DEFINITIONS (220315 Item B-3)

LIVE/WORK UNIT. A dwelling unit in which more than 10 percent and less than 50 percent of the space includes a nonresidential use that is operated by the tenant.

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

AGENCY: Building Code Council

RULE CITATION: 2018 Residential Code R101.2 and Table R302.1, 2018 Building Code Table 602 and 903.2.8, and 2018 Fire Code 903.2.8 (220315 Item B-4)

DEADLINE FOR RECEIPT: Thursday, November 10, 2022.

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:

Insert an Oxford comma after "removal".

"Repair" is a defined term in Section 202 of the Building Code so it must be italicized.

"Dwellings" is a defined term in Section 202 of the Building Code so it must be italicized in all instances.

Reinsert the "s" in "townhouse" to make it plural.

Remove the comma after "egress" to avoid a splice in the sentence.

Capitalize the "c" in "code" because this is a proper noun.

"Live/work units" will be a defined term in Section 202 of the Building Code so it must be italicized in all instances.

Do you need the deleted exception "2"?

What does "assumed property lines" mean?

In both the Fire Code and Building Code, 903.2.8 Group R, 4.1, and what are "remote unimpeded exits"? Is this defined? If so, italicize for consistency.

What is the necessity of 903.2.8 Group R, 4.3? This simply references other sections of the 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

Date submitted to agency: November 4, 2022

SUBMISSION FOR PERMANENT RULE

2018 NC Residential Code
R101.2 Scope (220315 Item B-3)

R101.2 Scope. The provisions of the *International Residential Code for One- and Two-family Dwellings* shall apply to the construction, *alteration*, movement, enlargement, replacement, repair, *equipment*, use and occupancy, location, removal and demolition of detached one- and two-family dwellings and *townhouses* 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. Single family dwellings otherwise permitted by this code shall include *bed and breakfast homes*.

Exceptions:

1. Live/work units ~~located in townhouses and~~ complying with the requirements of Section 419 of the *International Building Code* shall be permitted to be built as one- and two- family *dwellings* or townhouses. Fire suppression required by Section 419.5 of the *International Building Code* where constructed under the *International Residential Code for One- and Two-family Dwellings* shall conform to Section P2904.
2. Deleted.

2018 NC Residential Code
R202 DEFINITIONS (220315 Item B-3)

LIVE/WORK UNIT. A dwelling unit in which more than 10 percent and less than 50 percent of the space includes a nonresidential use that is operated by the tenant.