



## SUBMISSION FOR PERMANENT RULE

**[A] 101.2 Scope.** The provisions of this code shall apply to the construction, *alteration*, relocation, enlargement, replacement, *repair*, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

**Exception:** If any of the following apply, then the building or structure is exempt from the provisions of this code:

1. Detached one- and two-family *dwelling*s 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, shall comply with this code or the *International Residential Code*.
2. Farm buildings not used for:
  - a. Sleeping purposes; or
  - b. Storage of hazardous materials in excess of those listed in Tables 307.1(1) and 307.1(2) within the building rules jurisdiction of any municipality.
3. The design, construction, location, installation or operation of equipment for storing, handling and transporting liquefied petroleum gases for fuel purposes up to the outlet of the first stage pressure regulator, anhydrous ammonia or other liquid fertilizer.
4. The design, construction, location, installation or operation of equipment of facilities of a public utility, as defined in N.C.G.S. 62-3, or electric or telephone membership corporation, including without limitation poles, towers and other structures supporting electric or communication lines from the distribution network up to the meter location.
5. The storage and handling of substances governed by the Hazardous Chemical Right to Know Act in N.C.G.S. Chapter 95, Article 18.
6. Retaining walls complying with any of the following:
  - a. 3 feet or less in height where a guard is required;
  - b. 5 feet or less of cumulative fill within 3 feet horizontally from the wall;
  - c. Not located within 15 feet of another retaining wall; and
  - d. Not located within 3 feet of a building or structure.
7. Farm structures exempt by N.C.G.S 143-138(b4).