

SUBMISSION FOR PERMANENT RULE

1. Rule-Making Agency: NC Building Code Council	
2. Rule citation & name (name not required for repeal): 2024 NC Administrative Code and Policies, Table 202.5 and Appendix C (240319 Item B-4)	
3. Action: <input checked="" type="checkbox"/> ADOPTION <input type="checkbox"/> AMENDMENT <input type="checkbox"/> REPEAL <input type="checkbox"/> READOPTION <input type="checkbox"/> REPEAL through READOPTION	
4. Rule exempt from RRC review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No	5. Rule automatically subject to legislative review? <input type="checkbox"/> Yes. Cite authority: <input checked="" type="checkbox"/> No
6. Notice for Proposed Rule: <input checked="" type="checkbox"/> Notice Required Notice of Text published on: May 15, 2024 in NC Register, April 24, 2024 agency website Link to Agency notice: https://www.ncosfm.gov/240610-notice1hearing-2 Hearing on: June 11, 2024 Adoption by Agency on: September 10, 2024 <input type="checkbox"/> Notice not required under G.S.: Adoption by Agency on:	
7. Rule establishes or increases a fee? (See G.S. 12-3.1) <input type="checkbox"/> Yes Agency submitted request for consultation on: Consultation not required. Cite authority: <input checked="" type="checkbox"/> No	8. Fiscal impact. Check all that apply. <input type="checkbox"/> This Rule was part of a combined analysis. <input type="checkbox"/> State funds affected <input type="checkbox"/> Local funds affected <input type="checkbox"/> Substantial economic impact (≥\$1,000,000) <input type="checkbox"/> Approved by OSBM <input checked="" type="checkbox"/> No fiscal note required
9. REASON FOR ACTION	
9A. What prompted this action? Check all that apply: <input checked="" type="checkbox"/> Agency <input type="checkbox"/> Court order / cite: <input type="checkbox"/> Federal statute / cite: <input type="checkbox"/> Federal regulation / cite: <input type="checkbox"/> Legislation enacted by the General Assembly Cite Session Law: <input type="checkbox"/> Petition for rule-making <input type="checkbox"/> Other:	
9B. Explain: NC OSFM Code and Interpretations staff has repeatedly heard from stakeholders in the built environment that the code adoption process takes too much time as it seems that petitions sit for long periods of time between NCBCC meetings without any action on them. This petition aims to make the code adoption process more efficient to meet the demands of all stakeholders by speeding up the code adoption time by 90 days without adding additional NCBCC quarterly meetings. The delayed effective date of this Rule is January 1, 2025. The Statutory authority for Rule-making is G. S. 143-136; 143-138.	

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10. Rulemaking Coordinator: David B. Rittlinger
David B. Rittlinger
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Additional agency contact, if any:
Phone:
E-Mail:

11. Signature of Agency Head* or Rule-making Coordinator:



***If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.**

Typed Name: David B. Rittlinger
Title: Interim NC-OSFM Division Chief of Building Code & Interpretations and Chief Code Consultant

RRC AND OAH USE ONLY

Action taken:

- ☐ RRC extended period of review:
- ☐ RRC determined substantial changes:
- ☐ Withdrawn by agency
- ☐ Subject to Legislative Review
- ☐ Other:

Table 202.5.5 is edited as follows:

Table 202.5.5
Typical Timeline Example for Adopted Rules

Rule Petition Received:	February 1
Standing Committee First Review:	February – March <u>June</u>
Rule Petition Granted for Public Hearing : <u>Hearing (B-items):</u>	March BCC meeting
Notice of Hearing Published:	April NC Register
Hearing Held : <u>Held (C-items):</u>	June BCC public hearing
Standing Committee Final Review:	June – September <u>BCC Standing Committee meeting</u>
Final Rule Adoption : <u>Adoption (D-items):</u>	September <u>June</u> BCC meeting
Rules Review Meeting:	November <u>July or August</u> RRC meeting
Effective:	First day of the month following the month the adopted rule is approved by RRC or a delayed effective date approved by the BCC.

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Appendix C is edited as follows:

Typical Timeline Example for Adopted Rules	
Rule Petition Received:	February 1
Standing Committee First Review	February - March <u>June</u>
Rule Petition Granted for Public Hearing : <u>Hearing (B-items):</u>	March BCC meeting
Notice of Hearing Published:	April NC Register
Hearing Held : <u>Held (C-items):</u>	June BCC public hearing

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Standing Committee Final Review	June – September <u>BCC Standing Committee meeting</u>
Final Rule Adoption : <u>Adoption (D-items):</u>	September <u>June</u> BCC meeting
Rules Review Meeting:	November <u>July or August</u> RRC meeting
Effective:	First day of the month following the month the adopted rule is approved by RRC or a delayed effective date approved by the BCC.