

1 11 NCAC 08 .0602 is readopted as published in 33:16 NCR 1666-1667 as follows:

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3 **11 NCAC 08 .0602 NATURE OF PROBATIONARY CERTIFICATE**

4 ~~(a)~~ A probationary certificate may be ~~issued~~ issued without ~~examination~~ examination to any newly employed or newly
5 promoted code enforcement official who lacks a standard certificate that covers the new position. A probationary
6 certificate shall be issued for three years only and shall not be renewed. During the ~~three-year~~ three-year period, the
7 official shall complete the requirements set forth in 11 NCAC 08 .0706 to qualify for the appropriate standard
8 certificate. A probationary certificate shall authorize the official, during the effective period of the certificate, to hold
9 the position of the type, level, and location specified. The certificate shall be conditioned on the applicant's completion
10 of a high school diploma or a high school equivalency certificate and meeting one of the following:

- 11 (1) working under supervision ~~sufficient~~ sufficient, as determined by a supporting letter provided for in
12 11 NCAC 08 .0706(b), to protect the public health and safety;
- 13 (2) possessing a minimum of two years of design, construction, or inspection experience working under
14 a certified inspector or under a licensed professional engineer, registered architect, or licensed
15 contractor;
- 16 (3) possessing one of the experience qualifications listed in 11 NCAC 08 .0706 in each area of code
17 enforcement for which the probationary certificate is issued; or
- 18 (4) achieving a minimum score of 70 percent on the probationary prequalification exam administered
19 by the Board in each area of code enforcement for which the probationary certificate is issued.

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21 *History Note: Authority G.S. 143-151.12(2); 143-151.13(d);*
22 *Eff. June 28, 1979;*
23 *Amended Eff. December 1, 1982;*
24 *Temporary Amendment Eff. January 1, 1983; For a Period of 120 Days to Expire on April 30, 1983;*
25 *Amended Eff. December 1, 2017; July 18, 2002; October 1, 1992; February 1, 1991; ~~May 1, 1983.~~*
26 *May 1, 1983;*
27 *Readopted Eff. July 1, 2019.*
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1 11 NCAC 08 .0707 is readopted with changes as published in 33:16 NCR 1667 as follows:

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3 **11 NCAC 08 .0707 SPECIAL CIRCUMSTANCES**

4 (a) Licensed County Electrical Inspector. Certificates issued pursuant to ~~G.S. 143-151.13(e)~~ G.S. 143-151.13(e) shall
5 be for the electrical inspector level corresponding to the level at which the applicant is currently certified.

6 (b) Registered Architect, Licensed General Contractor, Licensed Plumbing or Heating Contractor, Licensed Electrical
7 Contractor, Registered Professional Engineer. Applicants for certification under ~~G.S. 143-151.13(f)~~ G.S. 143-
8 151.13(f) shall successfully ~~complete~~ complete the Board's prescribed short ~~course~~ course, as set out in 11 NCAC 08
9 .0706(g)(3), concerning ~~state building code~~ State Building Code rules and code enforcement administration prior to
10 being certified. Applicants under this Paragraph shall be currently registered or licensed (as of June 13, 1977) by the
11 State of North Carolina as an architect, a general contractor, a plumbing or heating contractor, an electrical contractor,
12 or a professional ~~engineer~~. engineer to receive certification. The standard certificate shall authorize the person to
13 practice as a qualified code enforcement official of the type and at the performance level determined by the Board to
14 be ~~appropriate~~ appropriate, in accordance with 11 NCAC 08 .0706, in light of the applicant's education, training, and
15 experience.

16 (c) Certified Code Enforcement Official From Another State. Pursuant to ~~G.S. 143-151.14~~, G.S. 143.151.14(a), the
17 Board may, without requiring an examination, issue a standard certificate to any person who successfully completes
18 the Board's prescribed short course concerning ~~state building code~~ State Building Code ~~regulations~~ rules and code
19 enforcement administration and who holds a currently valid certificate as a qualified code enforcement official from
20 another state or territory whose standards are acceptable to the Board and not lower than those required of North
21 Carolina ~~applicants~~ applicants, under Article 9C of the North Carolina General Statutes and all applicable
22 administrative rules governing Code Enforcement Officials.

23 (d) Certified Code Enforcement Official with International Code Council Certification. Applicants for certification
24 pursuant to G.S. 143-151.14(b) shall successfully complete the ~~[meet the experience requirements specified in 11~~
25 ~~NCAC 08 .0706 to be eligible for consideration. The]~~ short course required by G.S. 143-151.14 (c) ~~[is]~~ as set out in
26 11 NCAC 08 .0706(g)(3). ~~[Standard certificates issued under this Rule shall expire if the required short course is not~~
27 ~~completed within three years of certification.]~~

28 (e) Comity Applicants. Comity applicants as set out in in Paragraphs (c) and (d) of this Rule shall meet the experience
29 requirements specified in 11 NCAC 08 .0706 to be eligible for comity consideration. The successful completion of a
30 law and administration course and a standard technical course, as set out in 11 NCAC 08 .0706(g)(3), in the area and
31 level of the standard certificate must be completed within three years to maintain any standard certificate issued due
32 to comity. Standard certificates issued under comity shall expire if required courses are not completed within the
33 three-year period.

34 *History Note:* Authority G.S. 143-151.13; 143-151.14;
35 Eff. January 15, 1980;
36 Amended Eff. ~~July 1, 1983.~~ July 1, 1983;
37 Readopted Eff. July 1, 2019.

11 NCAC 08 .0708 is readopted as published in 33:16 NCR 1667 as follows:

11 NCAC 08 .0708 CERTIFICATE

(a) If an application meets the requirements of Rules .0704 and .0706 of this ~~Section~~ **Section**, and the application fee has been paid, and the applicant qualified for a particular type and level of certificate, the Board's staff shall mail a standard certificate of that type and level to the applicant at the address specified on the application. The certificate shall be effective until the renewal date specified in G.S. 143-151.16(b).

(b) If the applicant does not meet the criteria for the certificate for which he or she applied, the applicant shall be given written notice of the criterion that the applicant fails to meet and offered a choice of:

- (1) accepting a certificate for a lower level for which the applicant is qualified;
- (2) submitting additional evidence in support of the application;
- (3) withdrawing the application; or
- (4) appealing the decision to the Board.

If an appeal is filed, the Board shall conduct a hearing and render a decision in accordance with Article 3A of G.S. 150B.

*History Note: Authority G.S. 143-151.12; 143-151.13; 143-151.14; 143-151.17; 143-151.19;
Eff. January 15, 1980;
Amended Eff. December 1, 2017; July 18, 2002; ~~January 1, 1991~~; January 1, 1991;
Readopted Eff. July 1, 2019.*