

1 11 NCAC 08 .1601 is adopted as published in 33:22 NCR 2184-2185 as follows:
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3 **SECTION .1600. ALTERNATIVE INSPECTIONS**
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5 **11 NCAC 08 .1601 DEFINITIONS**

6 As used in this ~~Subchapter:~~ **Section:**

- 7 (1) “Alternative ~~[Inspection]~~ **inspection**” means an inspection conducted by a Qualified Marketplace
8 Inspector pursuant to G.S. 143-139.4 and ~~[these Rules.]~~ **the rules of this Section.**
9 (2) “Authority ~~[Having Jurisdiction]~~ **having jurisdiction**” means an organization, office, or individual
10 responsible for enforcing the requirements of a code or standard, or for approving equipment,
11 materials, an installation, or a procedure.
12 (3) “Engineering Services Division” or “ESD” means a division of the Office of State Fire Marshal
13 responsible for the Administration of the North Carolina Building code and the ~~[state]~~ **State**
14 ~~[resource]~~ **resources** ~~[which]~~ **that** support it.
15 (4) “OSFM” means the Office of State Fire Marshal in the North Carolina Department of Insurance.
16 (5) “Permit ~~[Holder]~~ **holder**” means the individual with overall responsibility for the construction or
17 renovation for which a permit has been applied for from the ~~[state]~~ **State** or any city or county.
18 (6) “Qualified Marketplace Inspector” means an inspector that is licensed by the North Carolina Code
19 Officials Qualification Board pursuant to G.S. 143-151.12(9).
20 (7) “Timely ~~[Manner]~~ **manner**” means any requested inspection shall be performed by the close of
21 business on the second day. Inspection requests received after 12:00 noon shall be deemed to have
22 been received on the next business day.
23 (8) “Other information” means information ~~[in which]~~ **that** will be used to determine whether to assign
24 personnel to conduct the requested inspection. Such information includes, ~~[but not limited to,]~~
25 inspection reports showing permit holders exceeding 15 violations in a framing inspection for one-
26 and two-family dwellings, documentation showing a permit holder has been ~~[consistently]~~ not ready
27 when inspections are requested, ~~or pending legal~~ **issues, etc.] issues.**
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29 *History Note:* Authority ~~[G.S. 143-139.4(k);]~~ **G.S. 143-139.4(a);**
30 *Eff. September 1, 2019.*

11 NCAC 08 .1602 is adopted as published in 33:22 NCR 2185 as follows:

11 NCAC 08 .1602 REQUEST FOR AN ALTERNATIVE INSPECTION

~~[(a)]~~ **(a)** In accordance with G.S. 143-139(b)(2), a permit holder may submit a written request for an alternative inspection for any of the following types of inspections required by the North Carolina State Building Code:

~~_____~~ (1) ~~plumbing;~~

~~_____~~ (2) ~~electrical systems;~~

~~_____~~ (3) ~~general building restrictions and regulations;~~

~~_____~~ (4) ~~heating and air conditioning; or~~

~~_____~~ (5) ~~general construction.]~~

~~[(b)]~~ **(a)** Each request for an alternative inspection may request only one of the types of inspections outlined in Paragraph (a) of this Rule. G.S. 143-139(b). Any additional inspections, including a follow-up inspection, require a new written request by the permit holder.

~~[(e)]~~ **(b)** A permit holder may request an alternative inspection by submitting a written request to the Engineering Services Division of the Office of State Fire Marshal that contains, in addition to the requirements of G.S. 143-139.4(b), the following information:

(1) Completed ~~permit~~ [Application; application from the authority having jurisdiction;

(2) Proof of paid inspection fees to the authority having jurisdiction; and

(3) Any other documentation required by the authority having jurisdiction.

~~[(d)]~~ **(c)** If a request for an alternative inspection is ~~[approved,]~~ approved in accordance with G.S. 143-139.4(e), a Qualified Marketplace Inspector shall be assigned to conduct the inspection within one business day of the approval of such request.

~~[(e)]~~ **(d)** If a request for an alternative inspection is not filed in accordance with these Rules, or the request does not meet the requirements of G.S. 143-139.4(e), the request shall be denied and the requestor notified of the reasons for the denial.

~~[(f)]~~ **(e)** The Commissioner ~~[may]~~ shall charge the permit holder a fee of sixty dollars (\$60.00) per hour for alternative inspections conducted pursuant to G.S. 143-139.4 and these Rules. The hourly rate shall not include the time travelling to and from inspections, although the Commissioner ~~[may]~~ shall charge for reimbursement for the actual mileage costs of travelling to and from inspections at the rate established under G.S. 138-6. The total fee shall be paid to the Commissioner no later than 30 days after completion of the alternative inspection.

~~[(g)]~~ **(f)** A permit holder who has paid the authority having jurisdiction for an inspection that has been conducted under these Rules may recoup the fees paid for alternative inspections in accordance with [G.S. 143A-354(b)] G.S. 153A-354 and G.S. 160A-414(b).

History Note: Authority G.S. 143-139.4(a); 58-2-40(1a);

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1 11 NCAC 08 .1603 is adopted as published in 33:22 NCR 2184-2185 as follows:

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3 **11 NCAC 08 .1603 QUALIFIED MARKETPLACE INSPECTORS**

4 (a) In order to conduct an alternative inspection in accordance with G.S. 143-139.4 and ~~these Rules,~~ the rules of this
5 Section, a Qualified Marketplace Inspector shall meet the requirements of a code enforcement official contained in 11
6 NCAC 08. 0706 for the type and size building requested to be inspected.

7 (b) A Qualified Marketplace Inspector ~~must~~ shall be ~~approved~~ registered for temporary work with the North
8 Carolina Office of State Human Resources, Temporary Solutions.

9 (c) A Qualified Marketplace Inspector shall be issued an identification badge by OSFM prior to beginning work. The
10 Qualified Marketplace Inspector shall display his or her identification badge ~~in a conspicuous location~~ on his or her
11 person at all times during the conduct of an alternative inspection.

12 (d) A Qualified Marketplace Inspector shall submit ~~a completed~~ an inspection report to OSFM no later than one
13 business day following the completion of the alternative inspection.

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15 *History Note:* Authority G.S. ~~(143-151.12(2),(3);)~~ 134-139.4
16 *Eff. September 1, 2019.*