

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: All Codes and Amendments Submitted

DEADLINE FOR RECEIPT: Wednesday, August 9, 2017

NOTE: This request when viewed on computer extends 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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

Please confirm compliance with G.S. 143-136(c) and (d) where applicable.

Wherever terms are italicized in text of the Rule, please confirm that means it is a term defined elsewhere within the Code.

On all Submission for Permanent Rule forms, the date the rules were published was February 15, 2017. Please update this on Box 6.

For the adoptions to update the Codes to 2015 International Code editions, this isn't a petition for rulemaking, is it? Instead, isn't it based upon G.S. 143-138(d)? If so, please change the answer to Box 9B of the Form.

Wherever you are deleting parts of a list, please confirm that when you publish, the remaining items will be renumbered. If they will not, is that because you need to keep cross-references intact?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 27, 2016

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

NOTE: This request when viewed on computer extends 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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

So that I'm clear – what will be the official year for this Code? 2019, 2018, 2015, or 2011? I ask because while the packet of NC amendments (hereinafter "packet") refers to the "2019 Acknowledgments," it also states in 101.1 that the Code was adopted by the Council on September 14, 2010 to be effective September 2011.

Further, I note that "code" is not capitalized throughout this Code. So, I take it that it should remain lowercase everywhere is used as such?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, 101.2.1

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

Is the intent of this to apply G.S. 143-138(e)?

Assuming it is, what does the Exception mean? Is it that Appendix H may be enforced by all local jurisdictions without approval by the Council? If so, should it be stated like that? After all, aren't many other Appendices adopted as well?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, 102.13 and Chapter 2

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

102.3: In Item (2), you are underlining and striking the same language. I believe this is to show that while the language was proposed to be adopted in the Code, it is being taken out by this amendment, correct? So the intent is to not adopt this?

Please confirm that Exception 2 conforms to the definition of farm building in G.S. 143-138(b4)(1), as amended by SL 2017-108.

In Item (2)a, consider replacing the comma after "purposes" with a semicolon.

In (2)b., do you mean Tables 5003.1.1(1) and 5003.1.1(2), on Pages 318 through 322 of the 2015 Code book?

In (4), I recommend inserting a comma after "towers"

In (5), are you going to keep "North Carolina"? You don't delete it here, but you do in the packet on page 3. I suggest you delete it.

In (5), G.S. 95-173 says the title is "Hazardous Chemicals Right to Know Act." So, if you are trying to say that the "The storage and handling of substances governed by the Hazardous Chemicals Right to Know Act" state that.

Also in (5), state "N.C.G.S." to be consistent with (6).

Chapter 2: You state that the building cannot be accessed by the general public. However, G.S. 143-138(b4) states:

(b4) Exclusion for Certain Farm Buildings. - Building rules do not apply to (i) farm buildings that are located outside the building-rules jurisdiction of any municipality, (ii) farm buildings that are located inside the building-rules jurisdiction of any municipality if the farm buildings are greenhouses, (iii) a primitive camp, or (iv) a primitive farm building. For the purposes of this subsection:

(1) A "farm building" shall include:

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

b. Any structure used for the display and sale of produce, no more than 1,000 square feet in size, **open to the public** for no more than 180 days per year, and certified by the Department of Agriculture and Consumer Services as a Certified Roadside Farm Market.

(1a) A "farm building" shall not lose its status as a farm building because it is used for **public or private events**, including, but not limited to, weddings, receptions, meetings, demonstrations of farm activities, meals, and other events that are taking place on the farm because of its farm or rural setting.

I understand that the intention is to exempt some buildings from the Fire Prevention Code. Is the interpretation that the exemption in G.S. 143-138(b4) only excludes these buildings from the Building Code, not the other codes? If not, then I do not see how the Council can narrow the definition of farm building in this Rule.

Please confirm that this definition conforms to the definition of farm building in G.S. 143-138(b4)(1), as amended by SL 2017-108.

On the second line, delete "but is not limited to"

On the third line, I recommend inserting a comma after "storage"

On the fourth line, I recommend inserting a comma after "poultry"

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

CHAPTER 1 CHANGES

102.13 Exception to applicability.

The provisions of this code shall not apply to the following:

1. Occupancy of one- and two-family dwellings.

~~2. Farm buildings located outside the building rules jurisdiction of any municipality.~~

~~**Exception:** All buildings used for sleeping purposes shall conform to the provisions of the technical codes.~~

2. Farm buildings not used for:

a. Sleeping purposes, or

b. Storage of hazardous materials in excess of those listed in Tables 5003.1(1) and 5003.1(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 first stage regulator, liquefied natural gases, and anhydrous ammonia or other liquid fertilizers.

4. The design, construction, location, installation or operation of equipment or facilities of a public utility, as defined in *N.C.G.S* 62-3, or an 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.

Exception: All buildings owned and operated by a public utility or an electric or telephone membership corporation shall meet the provisions of the code.

5. The Storage and Handling of Hazardous Chemicals Right to Know Act. North Carolina *N.C.G.S* 95-173 through 95-218.

6. Open burning pursuant to *N.C.G.S.* 106 - 940 through 106 - 950 under the jurisdiction of the North Carolina Department of Agriculture and Consumer Services.

CHAPTER 2 CHANGES

FARM BUILDING. Any building not used for sleeping purposes that is not accessed by the general public and is used primarily for a farm purpose. Farm purposes includes but is not limited to structures or buildings for equipment, storage and processing of agricultural products or commodities such as: crops, fruits, vegetables, ornamental or flowering plants, dairy, timber, livestock, poultry and all other such forms of agricultural products by the specific farm on which the structure or building is located. Farm purposes do not include structures or buildings for uses such as education facilities, research facilities, or aircraft hangars.

The delayed effective date of this Rule is January 1, 2019.

The Statutory authority for Rule-making is G. S. 143-136; 143-138.

(Note: The remainder is part of the 2018 Code adoption package.)

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, 103.2, 103.3, 103.4, 103.4.1, 104.3, 104.3.1, 104.4, 104.5, 104.6, 104.8, 104.9, 104.10, 105.1.2, 105.2.3, 105.3.8, 105.4, 105.4.6, 105.7, Section 108, Section 111, 115.1

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

What are the provisions, policies, and statutes you are referring to within each of these Rules? You need to specify this or the rules are unclear as written.

105.1.2: When this is published, will "fire code official" be italicized, since it is a defined term in the Code?

I am sure your regulated public knows what you mean by "A permit listed as optional does not make any of the technical provisions optional." However, I'm not sure I do. Can you explain this to me?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, 105.3.6

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

What does "deviate substantially" mean?

When this is published, will the terms "registered design professional" and "fire code official" be italicized, since they are defined in the Code?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, 105.5

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

So that I'm clear – if the permit is operational, the permit may be revoked? What will happen regarding construction permits?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, 105.6.28, 105.7.12

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

So that I'm clear, it is the belief of the Council that LP-gas is under the authority of the Department of Agriculture? What is the statutory determination for this? Is it cited later in this code?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, 105.6.45, 105.8.18, Chapter 31

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

So that I am clear – these amendments will supersede what was proposed for the overall readoption of the 2019 NC Fire Prevention Code, also submitted this month?

105.6.45: *I take it that in Exception 1, “exclusively” is known to your regulated public?*

105.7.18: *This language does not exactly track what is in the 2015 Code. I suggest removing the “or” before “a temporary” on the second line.*

On the third line, I recommend adding a comma after “(37 m2)” and underling the change to 74

And in this Rule, I take it that in publication you will change the “m2” to “m²”?

3013.2.1 and 3103.2.2: *What is the intent here? To redefine “tent” and “membrane structures,” what are defined in Chapter 2? If so, don’t you need to make it clear that these changes are for the purposes of Chapter 31?*

In Exception 2, I recommend inserting a comma after “drops”

3103.5: *Is “temporary” tent a known term to your regulated public?*

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

CHAPTER 1 CHANGES

105.6.45 Temporary membrane structures and tents (mandatory permit). An operational permit is required to operate an air-supported temporary membrane structure, or a temporary stage canopy having an area in excess of 400 square feet (37 m²), or a tent having an area in excess of ~~400~~ 800 square feet (~~37~~ 74 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open on all sides, which comply with all of the following:
 - 2.1. Individual tents having a maximum size of ~~700~~ 1800 square feet (~~65~~ 167 m²).
 - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed ~~700~~ 1800 square feet (~~65~~ 167 m²) total.
 - 2.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.
3. Funeral tents and curtains or extensions attached thereto, when used for funeral services.

105.7.18 Temporary membrane structures and tents. A construction permit is required to erect an air-supported temporary membrane structure, or a temporary stage canopy having an area in excess of 400 square feet (37 m²) or a tent having an area in excess of ~~400~~ 800 square feet (~~37~~ 74 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Funeral tents and curtains or extensions attached thereto, when used for funeral services.
3. Tents open on all sides, which comply with all of the following:
 - 3.1. Individual tents having a maximum size of ~~700~~ 1800 square feet (~~65~~ 167 m²).
 - 3.2. The aggregate area of multiple tents placed side by side without a fire break clearance of not less than 12 feet (3658 mm) shall not exceed ~~700~~ 1800 square feet (~~65~~ 167 m²) total.
 - 3.3. A minimum clearance of 12 feet (3658 mm) to structures and other tents shall be provided.

CHAPTER 31 CHANGES

3103.2 Approval required. Tents and membrane structures ~~having an area in excess of 400 square feet (37 m²)~~ shall not be erected, operated or maintained for any purpose without first obtaining a permit and approval from the *fire code official*.

3103.2.1 Membrane Structures. Membrane structures having an area in excess of 400 square feet (37 m²)

3103.2.2 Tents. Tents having an area in excess of 800 square feet (74 m²).

Exceptions:

1. Tents used exclusively for recreational camping purposes.
2. Tents open ~~on all sides~~ without sidewalls, drops or other physical obstructions on 75 percent or more of the perimeter that comply with all of the following:
 - 2.1. Individual tents having a maximum size of ~~700~~ 1800 square feet (~~65~~ 167 m²).
 - 2.2. The aggregate area of multiple tents placed side by side without a fire break clearance of 12 feet (3658 mm), not exceeding ~~700~~ 1800 square feet (~~65~~ 167 m²) total.
 - 2.3. A minimum clearance of 12 feet (3658 mm) to all structures and other tents.

3. Funeral tents and curtains or extensions attached thereto, when used for funeral services.

3103.5 Use period. ~~Temporary tents~~ A temporary tent, air-supported, air-inflated or tensioned membrane ~~structures~~ structure shall not be erected for a period of more than 180 consecutive days within a 12-month period on a single premises.

The delayed effective date of this Rule is January 1, 2019.
The Statutory authority for Rule-making is G. S. 143-136; 143-138.

(Note: The remainder is part of the 2018 Code adoption package.)

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, 105.7.3, 105.7.10, 105.7.11

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

Since you are deleting the second exception, should this be "Exception"?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Section 106

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

Is this language intended to be a preamble to the Section?

In the first paragraph, please delete the hyphen and insert a period after "S" in "N.C.G.S." before "160A-424"

Line 5 of the first paragraph, I suggest inserting commas after "structures" and "explosion"

Line 6, replace "Such" with "This"

Line 7, does your regulated public know how to contact the Office?

In the second paragraph, second line, delete the "and" before "Residential"

Line 2, I recommend inserting a comma after "dwellings" and stating "only the interior"

Line 7, I recommend inserting a comma after "inns"

Line 8, insert a period after "S" in "N.C.G.S."

In the fifth paragraph, in the first line, what "N.C.G.S" are you referring to? Do you mean "any applicable North Carolina laws?"

On the second line, consider stating "supersede the schedule in this section."?

In the sixth paragraph, start the first sentence "For unattended..."

Line 2, what is "conspicuous"?

Line 3, is this actually called an "order of notice"? On line 1, you just called it a letter. If this is the term, please be consistent with your terminology.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

Line 5, I recommend inserting a comma after "occupant" both places.

And is the determination of who to send this to (the owner or occupant or both) entirely within the discretion of the fire code official?

Line 6, delete "said"

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Section 109

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

Is this language intended to be a preamble to the Section?

On the first line, replace "has" with "have" (or change "violations" to "violation")

On the second line, why is "Fire Official" capitalized? And will the term be italicized when published?

On line 5, please state "N.C.G.S."

And the second citation, G.S. 153A-143, is regulation of outdoor advertising. Is this the statute you intended?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Section 114

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

Define "knowingly"

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, 115.2

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

What is the purpose of this list?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Section 202

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

You are defining "Bed and Breakfast Home" That term is defined in G.S. 130A-247 and this does not track it exactly. Is this not a concern, given the use of the term in G.S. 143-138, as well as other parts of this Code?

Do you not also need to define "bed and breakfast inn," again based upon G.S. 143-138 and other parts of this Code.

It does not appear that "Electrical Circuit Protective System" is defined at all in the IFC. Shouldn't all of this be underlined and highlighted, as it appears to be North Carolina specific?

For "Exit Access Stairway," this definition is the one in the IFC, but some of the terms aren't italicized here. Will they be when published?

For "Fire Hazard," replace "which" with "that" both places. And what is "customarily recognized by normal by persons in the public service regularly engaged...?"

For "Fireworks, 1.4G," I know you are reciting G.S. 14-414 here. Do you need to do so for the convenience of your regulated public, or would pointing them to the statute be sufficient?

Assuming you need to retain it, replace "which" with "that"

And in 4, the statute has "noisemakers" as one word. Is the use of "noise makers" correct?

For "ladder," the specific cited CFR is for scaffolding and rope descent systems. What is the correct citation?

In the definition of "Night Club" replace "and/or" with "or" and delete the "and" at the end of 1.

In "Open Air Camp Cabin," I recommend inserting an "and" after "cooling system,"

For the definition of "Respite Care Facility" please confirm this complies with the statutory definition.

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

Also for this term, the second sentence is not a complete sentence. Should this read "The length of stay per recipient shall not exceed..."

For "Temporary Overflow Shelter," I take it "temporary" is understood by your regulated public?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Section 203

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

So that I am clear – you will not be defining occupancy classifications in Section 202, but rather setting them forth in this new section?

203.1: *Who is making this classification? The code officials?*

I do not understand the cross reference to Section 508, which is the Fire Command Center. Is this the correct cross reference?

203.2: *Will this not exist?*

203.3.3: *Replace “and/or” with “or”*

203.3.2: *Here and elsewhere it is used in this Section, delete “but not limited to:” unless you need it for clarity for your regulated public. However, I note the term has been deleted elsewhere.*

203.3.4: *Page 46 of the packet, does your regulated public know what an “amusement arcade” is?*

Page 47 of the packet, should the terms “indoor swimming pools” and “indoor tennis courts” be listed separately? If not, put an “and” between the terms, and state “Indoor swimming pools and indoor tennis courts that do not have spectator seating”

203.4: *Page 49, why isn't this term for “educational occupancies” in alphabetical order like the others? Does this belong in Business Group B? Or is it for Educational Group E?*

203.5.3 and 203.8.5.5: *Why is the statute not abbreviated to “N.C.G.S.” like elsewhere?*

203.6: *For consistency, should this be “repairing”?*

203.6.2: *What is a “significant fire hazard”?*

203.7: *On the sixth line, delete the comma after “this code” and insert an “and” before “the requirements of Sections 414...”*

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

Line 7, delete the commas after “stored” and “canopies” unless you are missing a word there; if so, insert that language.

On line 8, what part of the IFC?

203.7.1: In (3), I think it should begin “A closed piping...”

In (11), what are “commonly used corrosive building materials”?

207.7.3: What are the Divisions on pages 53-54 of the packet? Does your regulated public know?

203.7.4: Page 55 of the packet, what is “normally” open? Does your regulated public know?

203.7.5: Define “readily” and “normally” unless known to the regulated public.

203.7.6: What is the difference between “highly toxic materials” and “toxic materials”? Are these differentiated by your regulated public?

203.7.7: Replace “in which” with “where” here and elsewhere where applicable.

203.8.1: What do you mean by “are or are not capable”? Is this to differentiate between 203.8.2.1 and 8.2.2 from 203.8.3?

203.8.3.1: I don’t believe the cross references to Sections 308.4.1.1 and 4.1.2 exist. Are these correct?

203.8.4: Page 58, replace “byspersons” with “by persons” and is “generally” a term known to the public?

Is “prerelease” not hyphenated?

I do not believe that the cross-references to 308.5.1 through 5.5 exist. Are these correct?

Why are the conditions on Page 58 203.8.1 – 8.5? Should these be with 8.1 on Page 56 of the packet?

Condition 3: Please hyphenate “remote-controlled” like you did in Condition 4.

203.9: Should “Drug stores” and “markets” be separated?

203.9.1: I cannot locate Table 414.2.5(1) in the IFC or this packet. Is this the correct cross-reference?

203.10.1: When you publish, make sure “transient” is italicized for “open air camp cabin”

203.10.2: What is a “live/work unit”? It is italicized, but I don’t see it defined in the IFC or the packet.

203.10.3: So that I’m clear, while the definition refers to “primarily permanent” but you include in the group boarding houses (transient) and “congregate living facilities (transient)?

For Child Day Care facilities, should the sentence “no more than five attending a preschool...”

For Licensed Small Residential Care, I cannot find Section 428.3. Is this correct?

203.10.4: Page 62 of the packet, I cannot locate Section 310.6.1 or 6.2. Are these cross-references correct?

For large residential care facilities, I cannot locate Section 428.5.

203.11.1: I cannot locate Section 508.2.

203.11.2: Where is Table 307.1? I cannot locate it or Section 406.8.

203.12: I cannot locate Section 412.5.

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Chapter 3

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

308.1.4: *Please confirm that the cross-reference to Chapter 61 is correct.*

310.9: *In 4, Page 67 of the packet, should the second cross-reference be to something more specific than 305, as that does not exist? Or if you mean just "Section 305" then why do you have 305.1 specified?*

311.1.1: *I know you are repeating the IFC, but does your regulated public know the difference between "persistently" and "repeatedly"?*

319.1.1, Exception: *I think that you are missing language after "meets" Is it "all of the following:"?*

319.1.3: *What is your authority to mandate staffing ratios? I understand training, but what is the authority to require awake overnight staff?*

319.1.4: *State "The building owner"*

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Chapter 4

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

If this is the packet you submit to your publishers, please note that on Page 69, it should say "Chapter 4 Changes"

403.11.5: *I take it "approved" will be italicized when this is published, since it is a defined term?*

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Chapter 6

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

607.1: It appears you are adding all of the language after "ASME 17.1" so please be sure to underline what you intend to add.

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Chapter 8

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

808.4 *The sentence is not complete. Please state what you mean.*

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Chapter 9

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

903.2.8: *In Exception 3, please fix the punctuation at the end of 3.1 and 3.2.*

903.2.8.5 and 903.2.8.6: *In 1 (for both rules) and 2, why not state "The building does not exceed"*

903.2.8.5.1: *I recommend beginning 1 and 2 "The building..."*

903.2.8.6: *What do you mean by "research statute"? Should this be removed?*

907.2.3: *In Exception 1, I suggest stating "Except for licensed day care centers...Code, a ..."*

Also, you appear to have an errant "a" at the end. Is this a footnote?

911.5: *The citation should be to "02 NCAC 38, Section .0700." If you need to keep the full title, fine, but please make sure you make it "Section .0700"*

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, 903.4.1

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

So that I am clear – the intent of this amendment is to not make the change to 903.4.1 on page 82 of the packet? You are not going to adopt that change? If so, why did you include it in the packet?

I know that the language here repeats the 2015 International Fire Code (IFC). Does your regulated public know what “distinctly” “automatically” and “constantly” means?

If the intent is to mirror the IFC, then I believe it should read in 903.4.1, line 2, “station or, where approved by the fire code official.”

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

2018 NC Fire Prevention Code
903.4.1 Monitoring. (161213 Item B-12)

903.4.1 Monitoring. Alarm, supervisory and trouble signals shall be distinctly different and shall be automatically transmitted to an *approved* supervising station, where approved by the *fire code official*, shall be an audible signal at a constantly attended location.

Exceptions:

1. Underground key or hub valves in roadway boxes provided by the municipality or public utility are not required to be monitored.
2. Backflow prevention device test valves located in limited area sprinkler system supply piping shall be locked in the open position. In occupancies required to be equipped with a fire alarm system, the backflow preventer valves shall be electrically supervised by a tamper switch installed in accordance with NFPA 72 and separately annunciated.
3. ~~A group R-2 building sprinklered in accordance with NFPA 13R where sprinklers are provided for porches, balconies, corridors and stairs that are open and attached and installed supervised in accordance with Section 903.4. At a minimum an approved audible alarm device shall be provided on every sprinklered R-2 building in accordance with Section 903.4.2 of the North Carolina Fire Code. No on site supervision is required at a constantly attended location.~~

The delayed effective date of this Rule is January 1, 2019.
The Statutory authority for Rule-making is G. S. 143-136; 143-138.

(Note: Also correlation with 2018 Building Code adoption package, 903.4.1.)

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Chapter 10

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

Table 1004.1.2: Page 91 of the packet, the highlighted and underlined language is in the IFC.

Page 92, why is "recreational courts" repeated twice?

1004.3: What is the "NC Administrative Code and Policies"?

Table 1006.3.2(2): In footnote e, Page 95 of the packet, state "where the occupants receive care that shall be ..."

1009.4: On the third line "/CSA B44" is not in the IFC. Are you adding it?

Also on line 4, and also in Exception 3, the highlighted language is in the IFC. Why is it highlighted? (Note the same question for 1009.7.2)

1010.9.3: In (2), I think you need to retain the comma after "S"

In 2.3, what do you mean by "this Section 1008.1.9.3"? If you mean "this Section and" state that. However, in the IFC, I cannot locate 1008.1.9.3.

1010.1.9.11: In 6, why not state "Except for high-rises, for stairways serving floors above a 3-hour horizontal building separation, doors are permitted..."

1010.1.10: In 4, I cannot find the cross-references to Section 407.11 and 407.12 in the IFC. What are these?

1015.2: If you are deleting the "and" on the second line, insert a comma after "ramps"

1029.13.1.3: If you are deleting the second section, state "Section 1012.10."

1030.1: In Exception 4, delete the "and" at the end of 4.1 through 4.3.

For Exceptions 4 and 5, you don't state what is not required if the exception is met. In Exceptions 1 through 3, you state that if the requirements are met, the areas do not have to have emergency

Amanda J. Reeder
Commission Counsel

Date submitted to agency: July 25, 2017

escape and rescue openings, but you don't state for Exceptions 4 and 5. What are those exceptions exempt from?

1031.9: *If you are deleting the second section, state "Section 1023.9"*

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

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Chapter 20

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

2003.8: *I think you are missing words after "2003.8.2 of the" Is it "of this section"?*

Should "approved" be italicized?

2003.8.1: *I recommend inserting a comma after "Code" and when you publish, make sure the "t" in "the" isn't italicized.*

2003.8.3: *I believe that the cross references have too many periods in them.*

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Chapter 23

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

2306.2.3: Exception 6, I believe the period after "stations" should be deleted, and the sentence begin "Fleet service stations listed UL 142..."

2306.2.3.1: In the Exception to 1, I cannot find the cross-reference to 3404.2.8 in the IFC. Do you mean to cite to another Code?

In 3 and 6, is this cross-reference to Chapter 34 of the IFC? That Chapter governs tire storage.

2307.1: What do you mean by "readily available" and to whom? The code official?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Chapter 31

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

3103.2: Are you making the proposed changes within the packet, or are you going to make the changes in the petition?

Table 3103.12.2: How will the determination be made for which category a tent fits into in the categories you split in half?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, 3406.1

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

3406.1: Please confirm that this language is what will appear in the 2019 Fire Prevention Code, given the changes reflected in the packet on Page 150.

3406.1.1.1: I believe you mean "45,720"

What are you saying regarding "where storage piles are located not less than ... from any storage pile." Do you mean "any other storage pile."?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

2018 NC Fire Prevention Code
3406.1 Tire Storage. (161213 Item B-10)

3406.1 Required access.

New tire storage yards shall be provided with fire apparatus access roads in accordance with Section 503 and Section 3406.2. Existing tire storage yards shall be provided with fire apparatus access roads where required in ~~Chapter 11~~ Section 3406.1.1.

3406.1.1 Existing tire storage yards. Existing tire storage yards in excess of 150,000 cubic feet shall be provided with fire apparatus access roads in accordance with Section 3406.1.1.1 and 3406.1.1.2.

3406.1.1.1 Access to piles. Access roadways shall be within 150 feet (45 720 mm) of any point in the storage yard where storage piles are located not less than 20 feet (6096 mm) from any storage pile.

3406.1.1.2 Location within piles. Fire apparatus access roads shall be located within all pile clearances identified in Section 3405.4 and within all fire breaks required in Section 3405.5.

The delayed effective date of this Rule is January 1, 2019.
The Statutory authority for Rule-making is G. S. 143-136; 143-138.

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Chapter 53

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

5301.1: *I think you need to retain the "the" before "International Fuel Gas Code"*

Consider changing the citation to "02 NCAC 38, Section .0700." If you need to keep the full title, that is fine, especially if you kept it as written in other parts of this Code.

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Chapter 56

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

5601.1: *In Exception 10, it's General Statutes. And please end the sentence with a period.*

5601.2.4.2: *Please state "N.C.G.S. 14-413(d)"*

G.S. 14-413(d) states:

§ 14-413. Permits for use at public exhibitions.

(d) A board of county commissioners or the governing board of a city shall not issue a permit under this section unless the display operator provides proof of insurance in the amount of at least five hundred thousand dollars (\$500,000) or the minimum amount required under the North Carolina State Building Code pursuant to G.S. 143-138(e), whichever is greater. A board of county commissioners or the governing board of a city may require proof of insurance that exceeds these minimum requirements. (1947, c. 210, s. 4; 1993 (Reg. Sess., 1994), c. 660, s. 3.1; 1995, c. 509, s. 11; 2003-298, s. 1; 2007-38, s. 2; 2009-507, s. 2; 2013-275, s. 2; 2015-124, s. 2.)

Are you attempting to set the amount here? Because if so, how is this determined? Or are you relying upon the fixed amount of \$500,000 set in statute?

5608.2: *Please state "N.C.G.S." and will "fire code official" be italicized when published?*

5608.3: *Are these operators licensed or are they permitted? The Rules refer to a permit. And please make the statute citation "N.C.G.S." For the Code citation, either state "11 NCAC 05D" but I note that in other places, you spell this out more.*

5610.1: *Why not state "Fireworks allowed by N.C.G.S. 14-414 may be sold, transported, or possessed without a permit."*

You state that not fireworks can be sold to anyone under 16, but that is not exactly what G.S. 14-410 states, as the law defines some things like "party poppers" as pyrotechnics. Will your regulated public understand the distinction?

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fire Prevention Code, Appendices

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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 call this office to inquire concerning the staff recommendation.

In reviewing these rules, the staff determined that the following technical changes need to be made:

Appendix H: What do you mean "The provisions contained in this appendix are adopted as part of this code"? You do mean to retain it, correct, given that you insert a cross-reference to it in 5001.5.1. Does this tie into the question I asked for 101.2.1?

Appendix J: This is not mentioned. Is it being changed?

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

Amanda J. Reeder
Commission Counsel
Date submitted to agency: July 25, 2017