

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 Fuel Gas 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:

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

So that I'm clear – this will be the 2018 Fuel Gas Code? Or is it the 2019 Code?

Please confirm that not submitting any amendments to Chapter 7 (and Appendices) means that you are adopting them from the International Fuel Gas Code (IFGC).

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 Fuel Gas Code, Preface

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 have not deleted these prefaces for other codes, such as the International Building Code. Is there a reason you are doing so for this Code?

In "Legislation" on Page 3 of the packet, what do you mean by "See NC Administrative 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 Fuel Gas Code, 103, 104, 105.2, 106.2, 107, 108, 109

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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

What are the Administrative Code and Policies you are referring to here? You need to specify this or the rules are unclear as written. If the intent is to state that that governing law and rules will apply, do you intend to state that at all or just not have these Sections within 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 Fuel Gas Code, Chapter 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:

101.1: *Insert dates of adoption here. Was it June 13, 2017?*

110: *Just so I am clear, you are adopting this Section?*

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 Fuel Gas Code, 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:

Listed: In this definition, I do not see how G.S. 143-139.1 sets any requirements for the accredited labs. Instead, the statute directs the Council to adopt rules to set those requirements.

§ 143-139.1. Certification of manufactured buildings, structures or components by recognized independent testing laboratory; minimum standards for modular homes.

(a) Certification. - The State Building Code may provide, in circumstances deemed appropriate by the Building Code Council, for testing, evaluation, inspection, and certification of buildings, structures or components manufactured off the site on which they are to be erected, by a recognized independent testing laboratory having follow-up inspection services approved by the Building Code Council. Approval of such buildings, structures or components shall be evidenced by labels or seals acceptable to the Council. All building units, structures or components bearing such labels or seals shall be deemed to meet the requirements of the State Building Code and this Article without further inspection or payment of fees, except as may be required for the enforcement of the Code relative to the connection of units and components and enforcement of local ordinances governing zoning, utility connections, and foundations permits. The Building Code Council shall adopt and may amend from time to time such reasonable and appropriate rules and regulations as it deems necessary for approval of agencies offering such testing, evaluation, inspection, and certification services and for overseeing their operations. Such rules and regulations shall include provisions to insure that such agencies are independent and free of any potential conflicts of interest which might influence their judgment in exercising their functions under the Code. Such rules and regulations may include a schedule of reasonable fees to cover administrative expenses in approving and overseeing operations of such agencies and may require the posting of a bond or other security satisfactory to the Council guaranteeing faithful performance of duties under the Code.

The Building Code Council may also adopt rules to insure that any person that is not licensed, in accordance with G.S. 87-1, and that undertakes to erect a North Carolina labeled manufactured modular building, meets the manufacturer's installation instructions and applicable provisions of the State Building Code. Any such person, before securing a permit to erect a modular building, shall provide the code enforcement official proof that he has in force for each modular building to

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be erected a \$5,000 surety bond insuring compliance with the regulations of the State Building Code governing installation of modular buildings.

Further, where will this list be kept? How can the public and code officials see it? Is it the link provided in Third-Party Certification Agency?

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

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Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fuel Gas Code, Chapter 3

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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

303.3: *Is the intent here to use "closet" as defined? If so, aren't all closets as defined "used for storage"?*

306.3.1, 306.4.1, 306.5.2: *So that I am clear – there is no longer a set standard, just references?*

Please consistently capitalize "Article" However, given the language in this Code, should the term be "section"?

310.1.1: *What is the use of the commentary? Is this per G.S. 143-138(d) or 143-138.1(b)?*

And is the purpose of the statutory citation to ensure that your regulated public knows what will require the service of a licensed electrical contractor?

§ 87-43. Electrical contracting defined; licenses.

Electrical contracting shall be defined as engaging or offering to engage in the business of installing, maintaining, altering or repairing any electric work, wiring, devices, appliances or equipment. No person, partnership, firm or corporation shall engage, or offer to engage, in the business of electrical contracting within the State of North Carolina without having received a license in the applicable classification described in G.S. 87-43.3 from the State Board of Examiners of Electrical Contractors in compliance with the provisions of this Article, regardless of whether the offer was made or the work was performed by a qualified individual as defined in G.S. 87-41.1. In each separate place of business operated by an electrical contractor at least one listed qualified individual shall be regularly on active duty and shall have the specific duty and authority to supervise and direct all electrical wiring or electrical installation work done or made by such separate place of business. Every person, partnership, firm or corporation engaging in the business of electrical contracting shall display a current certificate of license in his principal place of business and in each branch place of business which he operates. Licenses issued hereunder shall be signed by the chairman and the secretary-treasurer of the Board, under the seal of the Board. A registry of all licenses issued to electrical contractors shall be kept by the secretary-treasurer of the Board, and said registry shall be open for public inspection during ordinary

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business hours. (1937, c. 87, s. 5; 1951, c. 650, ss. 1-2 1/2; 1953, c. 595; 1961, c. 1165; 1969, c. 669, s. 1; 1989, c. 709, s. 4.)

I take it that the Section 311 addition is to implement G.S. 143-138(b2)?

(b2) Carbon Monoxide Alarms. - The Code (i) may contain provisions requiring the installation of either battery-operated or electrical carbon monoxide alarms in every dwelling unit having a combustion heater, appliance, or fireplace, and in any dwelling unit having an attached garage and (ii) shall contain provisions requiring the installation of electrical carbon monoxide alarms at a lodging establishment. Violations of this subsection and rules adopted pursuant to this subsection shall be punishable in accordance with subsection (h) of this section and G.S. 143-139. In particular, the rules shall provide:

(1) For dwelling units, carbon monoxide alarms shall be those listed by a nationally recognized testing laboratory that is approved to test and certify to American National Standards Institute/Underwriters Laboratories Standards ANSI/UL2034 or ANSI/UL2075 and shall be installed in accordance with either the standard of the National Fire Protection Association or the minimum protection designated in the manufacturer's instructions, which the property owner shall retain or provide as proof of compliance. A carbon monoxide alarm may be combined with smoke detectors if the combined alarm does both of the following: (i) complies with ANSI/UL2034 or ANSI/UL2075 for carbon monoxide alarms and ANSI/UL217 for smoke detectors; and (ii) emits an alarm in a manner that clearly differentiates between detecting the presence of carbon monoxide and the presence of smoke.

If so, then:

311.1: *Won't this be "as directed by the alarm manufacturer or the NFPA."?*

311.3: *To comply with statute, add the reference to UL 2075 that is within the statute.*

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Commission Counsel
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REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fuel Gas Code, Chapter 4

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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

402.2: *What is a “qualified agency”? Does your regulated public know?*

What is the Table on Pages 23 – 24 of the packet? It doesn't seem to be an adoption of a new table, but it doesn't comport with the tables in the International Fuel Gas Code.

403.4.3: *Is the intention here to rename the Rule to state that brass is a copper alloy?*

404.7.1: *Is there a reason you didn't change “member” to “member(s)” every time the term is used in this Rule?*

404.7.2: *Please insert an “and” before “not diagonally” Then end the sentence and state “The measurement is...”*

404.10: *Delete the comma after “fitting” before “or dielectric regulator”*

406.1 Commentary: *Please publish the citation as “N.C.G.S.”*

406.4.1: *In the Exception, either make “system” plural or change “are” to “is”*

406.7.1.1: *What is “constantly attended”? Does your regulated public know?*

In the Exception, replace the semicolon after “outdoors” with a comma.

Change “effected” to “affected”

End the sentence after “lines.” Then state “Quantities of...”

406.7.4: *What is this training? Does your regulated public know?*

410.3: *In (a), when you publish, make sure you put a period after “intakes”*

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

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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 Fuel Gas Code, Chapter 6

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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614.8.5: *In the first bullet, should this be "Labels" to be consistent with the next bullet?*

And are there any requirements for tags at all?

614.8.7: *In the Exception, insert a comma after "grade" before "an areaway"*

618.8: *Separate "a" and "cooling" on the first line.*

On the fourth line, I believe you mean "exchangers"

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Commission Counsel
Date submitted to agency: July 25, 2017

REQUEST FOR TECHNICAL CHANGE

AGENCY: NC Building Code Council

RULE CITATION: NC Fuel Gas Code, Chapter 8

DEADLINE FOR RECEIPT: Tuesday, August 8, 2017

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

In 403.5.4, the reference is to ANSI LC1/CSA 6.26. 301.1.1 does not reference a specific standard at all. Why is this change being made?

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Amanda J. Reeder
Commission Counsel
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