

1 11 NCAC 08 .0602 is amended with changes as published in 31:23 NCR 2335 as follows:

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

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

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

21 (b) A probationary certificate shall be issued if the Board determines ~~from the information provided on the application~~  
22 that the applicant may obtain the experience required by Paragraph (a)(3) of this Rule before the expiration of the  
23 probationary certificate.

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25 *History Note: Filed as a Temporary Amendment Eff. January 1, 1983, For a Period of 120 Days to Expire on*  
26 *April 30, 1983;*  
27 *Authority G.S. 143-151.12(2); 143-151.13(d);*  
28 *Eff. June 28, 1979;*  
29 *Amended Eff. December 1, 2017, July 18, 2002; October 1, 1992; February 1, 1991; May 1, 1983;*  
30 *December 1, 1982.*

1 11 NCAC 08 .0708 is amended with changes as published in 31:23 NCR 2335 as follows:

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3 **11 NCAC 08 .0708 CERTIFICATE**

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

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

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

14 If an appeal is filed, the Board shall conduct a hearing and render a decision in accordance with **Article 3A of** G.S.  
15 150B

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17 *History Note:* Authority G.S. 143-151.12; 143-151.13; 143-151.14; **143-151.17**; 143-151.19;

18 *Eff. January 15, 1980;*

19 *Amended Eff. December 1, 2017, July 18, 2002; January 1, 1991.*

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