

APPENDIX C CODE CHANGE PROPOSAL NORTH CAROLINA BUILDING CODE COUNCIL

325 North Salisbury Street, Room 5_44 Raleigh, North Carolina 27603 (919) 647-0009 carl martin@ncdoi.gov

Granted by BCC Denied by BCC	carl.martin@ncdoi.gov Petition for R Adopted by BCC Disapproved by BCC	Appro	fumber	
REPRESENTING: $\overline{\text{NC}}$	Department of Insurance – Offi		NE: 919-647-0 urshal	094
ADDRESS: <u>325 N. Sali</u> CITY: Raleigh	STATE:	NC 71	P: <u>27603</u>	
	nson@ncdoi.gov_		X: 919-715-00	067
North Carolina State Bu	ilding Code, Volume <u>Fire Code</u>		Section D107	7.2
	vise section to read as follows: d new section to read as follows:	Delete section Delete section		
LINE THROUGH MATE	RIAL TO BE DELETED	UNDERLINE MA	TERIAL TO B	E ADDED
D107.2 Remoteness. W distance apart equal to n of the property or area to Exception: For deversion connectivity limitation	here two fire apparatus access reot less than one-half of the lenger be served, measured in a straige elopments where compliance is tons, real property dimensions or	pads are required, to the of the maximum that line between acceptable the technically infeasibed initiations, real presented.	hey shall be ploverall diagon cesses. le because of roperty acquisi	aced a nal dimension road tion
<i>fire code official</i> sha	onmental constraints, as determined the little not require two fire appratus access road remoteness to	aratus access roads	or allow for a	lterations tha
Will this proposal increa Will this proposal affect Will this proposal cause • Non-Substantial – Providen	the the cost of construction? Duse to the cost of a dwelling by the Local or State funds? a substantial economic impact (de an economic analysis including bennic analysis must also include 2-alternative)	580 or more? Local [] (>\$1,000,000)? efit/cost estimates.	Yes []] State []] Yes []]	No [] No [X] No [X] No [X] alysis.

Pursuant to §143-138(a1)(2) a cost-benefit analysis is required for all proposed amendments to the NC Energy Conservation Code. The Building Code Council shall also require same for the NC Residential Code, Chapter 11.

REASON: Session Law 2021-183 as included below directs the Building Code Council to adopt a rule to amend the above listed section to be substantively identical to the provisions of subsection 3.(c) of the law included below:

SECTION 3.(a) Definitions. – As used in this section, "Council" means the North Carolina Building Code Council and "Code" means the current North Carolina Building Code collection, and amendments to the Code, as adopted by the Council.

SECTION 3.(b) Code Amendment. – Until the effective date of the Code amendment that the Council is required to adopt pursuant to this section, the Council, Code enforcement official, or fire code official enforcing the Code shall follow the provisions of subsection (c) of this section as it relates to Sections D107.1 and D107.2 of the 2018 North Carolina Fire Code and other provisions that relate to the fire apparatus access roads for one- or two-family dwelling residential developments.

SECTION 3.(c) Implementation. – Notwithstanding any provision of the Code or law to the contrary, in a one- or two-family dwelling residential development where two fire apparatus access roads are required, the Council, Code enforcement official, or fire code official shall not require that fire apparatus access roads are placed a distance apart equal to not less than one-half of the length of the maximum overall diagonal dimension of the property or area to be served, measured in a straight line between accesses, where conformance is technically infeasible, as determined by the property owner or developer. Reasons that conformance is technically infeasible may include road connectivity limitations, real property dimensions or limitations, real property acquisition constraints, or environmental constraints. For developments where compliance is technically infeasible, the Council, Code enforcement official, or fire code official shall either not require two fire apparatus access roads or allow for alterations that provide for fire apparatus access road remoteness to the maximum extent technically feasible.

SECTION 3.(d) Additional Rulemaking Authority. – The Council shall adopt a rule to amend Sections D107.1 and D107.2 of the 2018 North Carolina Fire Code consistent with subsection (c) of this section. Notwithstanding G.S. 143-136(c), the Residential Code Committee within the Council shall consider the amendment required by this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Council pursuant to this subsection shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in G.S. 150B-21.3(b2).

SECTION 3.(e) Sunset. – This section expires on the date that rules adopted pursuant to subsection (d) of this section become effective.

		BCC CODE CHANGES		
	Charlis Johnson			
Signature:		Date:	1/31/22	FORM 11/26/19