



APPENDIX C CODE CHANGE PROPOSAL NORTH CAROLINA BUILDING CODE COUNCIL

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Granted by BCC _____ Denied by BCC _____	Adopted by BCC _____ Disapproved by BCC _____	Petition for Rule Making Item Number _____ Approved by RRC _____ Objection by RRC _____
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PROPONENT: Charlie Johnson PHONE: 919-647-0094
 REPRESENTING: NC Department of Insurance – Office of State Fire Marshal
 ADDRESS: 325 N. Salisbury Street
 CITY: Raleigh STATE: NC ZIP: 27603
 E-MAIL: charlie.johnson@ncdoi.gov FAX: 919-715-0067

North Carolina State Building Code, Volume Fire Code - Section D107.2

CHECK ONE: Revise section to read as follows: Delete section and substitute the following:
 Add new section to read as follows: Delete section without substitution:

LINE THROUGH MATERIAL TO BE DELETED UNDERLINE MATERIAL TO BE ADDED

Please type. Continue proposal or reason on plain paper attached to this form. See reverse side for instructions.

D107.2 Remoteness. Where two fire apparatus access roads are required, they shall be 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.

Exception: For developments where compliance is technically infeasible because of road connectivity limitations, real property dimensions or limitations, real property acquisition constraints, or environmental constraints, as determined by the property owner or developer, the 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.

Will this proposal change the cost of construction? Decrease Increase No
 Will this proposal increase to the cost of a dwelling by \$80 or more? Yes No
 Will this proposal affect the Local or State funds? Local State No
 Will this proposal cause a substantial economic impact (≥\$1,000,000)? Yes No

- Non-Substantial – Provide an economic analysis including benefit/cost estimates.
- Substantial – The economic analysis must also include 2-alternatives, time value of money and risk analysis.
- 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

Signature: Charlie Johnson

Date: 1/31/22

FORM 11/26/19