

Minutes of the North Carolina Building Code Council
March 12, 2012
Raleigh, NC

All members of the North Carolina Building Code Council were present for the Council Meeting with the exception of Ed Moore, Alan Perdue, and Paula Strickland.

The following are summary minutes. The official minutes of this meeting are recorded on CD. Anyone desiring verbatim CDs or excerpts from these CDs should contact the Engineering Division of the NC Department of Insurance for information and reproduction costs. The next scheduled NC Building Code Council meeting will be held June 11, 2012. The location will be announced 30 days before the meeting.

Part A – Administrative Items

Item A – 1 Ethics Statement: Inquire upon conflicts of interest or appearance of conflicts of interest that exist within the Council.

There were no actual or potential conflicts of interest noted.

Item A – 2 Letter from the Office of the Governor regarding Executive Order No. 34, *Ethics and Attendance Standards for Gubernatorial Appointees to Boards.*

Dan Tingen reminded the BCC Council members in attendance that the ethics training course needs to be taken by April 15, 2012 and that members are required to take the course every two years.

Item A – 3 Approval of minutes of the December 12, 2011 NC Building Code Council Meeting.

A motion to accept the December 12th meeting minutes was made by Kim Reitterer and seconded by John Hitch. The minutes were approved.

Item A – 4 Notice of Reappointment of Ms. Cynthia M. Browning

Dan Tingen announced that Cindy Browning has been reappointed to the Council.

Item A – 5 Letter to the Council from John Jessup, Executive Director of the NC Propane Gas Association regarding the proposed rules relating to Carbon Monoxide Alarms.

David Smith stated that it was agreed that the Legislature made this decision. Dan Tingen stated that the Council could, at some point, petition the Legislature to change the statutory authority, which the Council was found not to have.

Item A – 6 Rules Review Commission Meeting Report

Barry Gupton stated that the only Item that was on the Rules Review Commission was the Carbon Monoxide Alarms. He resubmitted the changes for the Residential, Fuel Gas, Mechanical and Plumbing Codes, which were all identical, just in different sections. They accepted the revised wording.

Item A – 7 Public Comments

-Commissioner Wayne Goodwin, announced that NCDOI was very close to having a new facility that he is hoping to be in by the end of this year. He thanked the members for their dedicated service to the Building Code Council. Commissioner Goodwin introduced that Assistant Commissioner Mark Edwards and PIO Representative Kerry Hall were also in attendance. He addressed the Code Book availability issue and stated that he appreciated Chairman Tingen's and DOI Staff input on how they were able to resolve that issue. He commended the NC Home Builders Association and all stake holders who worked together also. Commissioner Goodwin stated that he hopes, as we move forward, that we preserve our focus on safety and that we also preserve our focus on the economic impact that the Council has on construction and buildings. Another impact that he discussed was that everything ties back into Insurance and everything has an impact on affordability and the availability of Insurance and safety on the economy. He stated that it was important that we have tremendous and learned Staff and he hopes to be able to continue to work with the Council and bring on even more people as the years go by to be able to provide the professional advice. He stated that this does factor into how Insurance is set in the State. The Commissioner announced that he is very pleased that in just over the last three and a half years, with everyone working together in a team effort, over one billion dollars has been saved. Dan Tingen, on behalf of the Council, thanked Commissioner Goodwin and Assistant Commissioner Edwards for being very involved in helping to resolve the Code Book availability issue.

-Tom Turner announced that after 14 years, he has retired from the Council. He stated that it has been both enjoyable and educational and that he was always amazed at the professionalism and the availability of Staff to be able to work together with a group of volunteers that may not always see eye to eye but respect each other's opinions. Mr. Turner stated that working on the Council has been a pleasure. Chairman Tingen thanked Mr. Turner for his service.

-Ron Jackson, a builder from Pinehurst, NC, stated that he feels the Code keeps growing and that he feels that affordable housing is being forgotten and therefore the cost of this housing is being driven up. He asked that the Council keep in mind what a person with less means can afford.

-Jeremy Bertram, with the Log Homes Council, stated that he submitted a petition to the Council last summer and met with Jeff Tiller, from Appalachian State University that with the Energy code, certain size logs will not pass. He stated that in order to meet the 2012 Energy Code, it would require retooling of mills, which he said was not possible. When his petition was submitted, it was submitted with the intent of continuing business. After speaking with Mr. Tiller, Mr. Bertram submitted a letter to David Smith indicating that he would be withdrawing the proposal. He then received a letter from Billy Hinton stating the U-value numbers were not updated in the table. He met with Mr. Tiller again and came up with a modified version of the original amendment. He discovered that his proposal was not on the Agenda for this meeting. Mr. Bertram fears that if the language is not adopted into this code cycle that he cannot continue business. He asked the Council that if he could not bring his proposal forward at this meeting, if there could be a special session to adopt an emergency petition. Dan Tingen told Mr. Bertram that he would be able to submit his new petition when the new petitions were introduced in the next portion of the meeting.

Part B – New Petitions for Rulemaking

The following Petitions for Rulemaking have been received since the last Council meeting. The Council will vote either to deny or grant these Petitions. The Council will give no further consideration to Petitions that are denied. Petitions that are granted may proceed through the Rulemaking process. The Council may send any Petition to the appropriate committee. The hearing will take place during or after the June 2012 meeting.

Item B – 1 Request by Christopher Havanas, with GOJO Industries, Inc., to amend the 2012 NC Fire Code, Section 3405.5, number 5. The proposed amendment is as follows:

Section 3405.5 Alcohol-based hand rubs classified as Class I or II liquids. The use of wall-mounted dispensers containing alcohol-based hand rubs classified as Class I or II liquids shall be in accordance with all of the following:

5. Dispensers shall not release their contents except when the dispenser is manually activated.

Exception: Facilities shall be permitted to install and use automatically activated “touch free” alcohol-based hand rub dispensing devices with the following requirements:

1. The facility or persons responsible for the dispensers shall test the dispensers each time a new refill is installed in accordance with the manufacturer’s care and use instructions.
2. Dispensers shall be designed and must operate in a manner that ensures accidental or malicious activations of the dispensing device are minimized. At a minimum, all devices subject to or used in accordance with this section shall have the following safety features:
 - 2.1 Any activations of the dispenser shall occur when an object is placed within 4 inches of the sensing device.
 - 2.2 The dispenser shall not dispense more than the amount required for hand hygiene consistent with the label instructions as regulated by the United States Food and Drug Administration (US FDA).
 - 2.3 An object placed within the activation zone and left in place will cause only one activation.

Motion – Al Bass/Second – Lon McSwain/Granted – The request was granted unanimously and sent to the Administrative/Fire Committees for review.

Item B – 2 Request by Lon McSwain, NC Building Code Council, to amend the 2012 NC Building Code, Section 1005.1. The proposed amendment is as follows:

1005.1 Minimum required egress width. The *means of egress* width shall not be less than required by this section. The total width of *means of egress* in inches (mm) shall not be less than the total *occupant load* served by the *means of egress* multiplied by 0.3 inch (7.62 mm) per occupant for stairways and by 0.2 inch (5.08 mm) per occupant for other egress components. The width shall not be less than specified elsewhere in this code. Multiple *means of egress* shall be sized such that the loss of any one *means of egress* shall not reduce the available capacity to less than 50

percent of the required capacity. The maximum capacity required from any *story* of a building shall be maintained to the termination of the *means of egress*.

~~Exception: *Means of egress* complying with Section 1028.~~

Exceptions:

1. *Means of egress* complying with Section 1028.

2. For other than Group H and I-2 occupancies, the capacity, in inches (mm), of *means of egress stairways* shall be calculated by multiplying the *occupant load* served by the *stairway* by a *means of egress* capacity factor of 0.2 inch (5.1 mm) per occupant in buildings equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an *emergency voice/alarm communications system* in accordance with Section 907.5.2.2.

3. For other than Group H and I-2 occupancies, the capacity, in inches (mm), of *means of egress* components other than *stairways* shall be calculated by multiplying the *occupant load* served by such components by a *means of egress* capacity factor of 0.15 inch (5.1 mm) per occupant in buildings equipped throughout with an *automatic sprinkler system* installed in accordance with Section 903.3.1.1 or 903.3.1.2 and an *emergency voice/alarm communications system* in accordance with Section 907.5.2.2.

Motion – Kim Reitterer/Second – John Hitch/Granted – The request was granted unanimously.

Item B – 3 Request by Ralph Euchner, NC Building Code Council, to amend the 2012 NC Fuel Gas Code, Section 310.1.1. The proposed amendment is as follows:

310.1.1 CSST. Corrugated stainless steel tubing (CSST) gas *pipng* systems shall be bonded to the electrical service grounding electrode system ~~at the point where the gas service enters the building~~. The bonding jumper shall be not smaller than 6 AWG copper wire or equivalent.

Motion – David Smith/Second – Al Bass/Granted – The request was granted unanimously.

Item B – 4 Request by David Smith, NC Building Code Council, to amend the 2012 NC Residential Code, Section R602.10. The proposed amendment is as follows:

Replace the 2012 NC Residential Code Sections R602.10 through R602.12 with the attached “Revised Wall Bracing Provisions of the 2012 North Carolina Residential Code”.

R602.10-Wall Bracing Document is posted at the following link:

http://www.ncdoi.com/OSFM/Engineering/BCC/engineering_bcc_minutes.asp

Motion – Al Bass/Second – David Smith/Granted – The request was granted unanimously.

Part C – Notice of Rulemaking Proceedings and Public Hearing

The following Petitions for Rulemaking have been granted by the Council. Notice of Rulemaking proceedings has been made.

There were none.

Part D – Final Adoption

The following Petitions for Rulemaking have been granted by the Council. Notice of Rulemaking proceedings and Public Hearing has been made.

There were none.

Part E – Reports

Chairman’s Report

-Dan Tingen stated that he received a letter from the Code Officials Qualification Board Chairman, Hayden Lutterloh, to share with the Council for their review.

-Dan Tingen shared the updated Committees list with the Council. He asked that Ralph Euchner take Tom Turner’s position as the Energy Code Committee Chair. Mr. Tingen stated that he would be updating the Standing Committees by assigning the new Council members to them. He will follow up with each member and forward the updated list to Staff.

-Mr. Tingen asked new members, Leah Faile and Mack Paul, to share their background with the Council.

Ad Hoc Committee Reports

-Leon Skinner, the NC Rehab Code Committee Chair, reported that this committee has been meeting once a month on the existing building issue. He stated that the committee hopes to have a proposal for the June meeting related to seismic requirements.

-David Smith reported that the Residential Ad Hoc Committee will be meeting in April to discuss errata in the Code. Not to make changes only to correct duplications. Mr. Smith thanked Barry Guppton and Mecklenburg County for already identifying a lot of them.

-Dan Tingen asked that the Committee Chairs be given a changeable ICC document so that it can be modified on the spot.

Standing Committee Reports

-David Smith reported that the Residential Committee would be meeting immediately after the Council meeting.

-Al Bass reported that he and the only other present member of the Mechanical Committee met about a previous petition. He informed the board that the discharge pipe code change identified in the January, 2012 meeting would not be presented to the board.

-Kim Reitterer reported that the Electrical Committee has not been able to meet because of scheduling conflicts. She asked that they schedule a meeting in June.

Staff Reports

-Chris Noles introduced himself and staff to new members, Leah Faile and Mack Paul.

-Chris Noles reported that there have been numerous discussions with ICC and a lot of the big issues have been with the Residential Code. He stated that ICC has been pushed to expedite everything in hopes to have the Code very soon and that ICC has kept the price of the Code down to \$82. It was also discussed that if you buy the PDF version, you will be able to print that document.

-Chris Noles discussed the new building and that if everything went as planned, we could possibly be in the middle of transition during the June BCC meeting. He stated that he may try to set up a different location for the June 11th meeting.

-Dan Tingen asked Mr. Noles to elaborate on the Chatham County appeal. Mr. Noles stated that the issue was that there is a provision within the code that addresses the width of roads in subdivisions. The Fire Code addresses a situation where you can get a fire truck to a house. The other issue is where you have parking on each side or that you can't back the truck out of the subdivision. In Chatham County, they were approving roads that were 20 feet or more but in some cases they were looking at one-way roads and redundant roads. They were getting hung up on the literal language within the code but were not looking at the overall intent of the provisions of the code, because the intent was being able to get an apparatus to a burning building. They understand the goal and are looking at a few alternate methods now. Once they realized they could do alternate methods, they dropped the case.

-Barry Gupton reported that all of the Codes, except the Residential Code, are currently in print and are available for purchase. He stated that the Energy Code was the last one and it came online the first part of February. The Residential Code is online in a "99% draft form" and the only changes to it will be editorial type changes and will be available very soon.

Public Comments

-Chris Mathis reported on Energy Provision training. Mr. Mathis also spoke about a series of research projects and training about the Energy Code and the NC Code process. He stated that the results of this study are available on their website. He stated that the Wood Structure Tables aren't as strong as they used to be.

Part F – Appeals – Charlie Horne/Chatham County Board of Commissioners – NCBC

This appeal has been mutually dropped by both parties.

Sincerely,



Christian Noles, P.E.
Secretary, NC Building Code Council