



NC DEPARTMENT OF
INSURANCE
 OFFICE OF STATE FIRE MARSHAL

MIKE CAUSEY, Commissioner of Insurance

325 N. Salisbury St, Raleigh, NC 27603 (Street Address)

1202 Mail Service Center, Raleigh, NC 27699-1202 (Mailing Address)

(919) 647-0000

www.ncdoi.com/OSFM

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Contents

Table of Contents

Introduction	2
Current Topics.....	2
Inspector Marketplace – Engineers and Architects as Code Officials	2
The 2018 NC Code (Except Electrical) Implementation Diagram	3
Update on 2017 NC Electrical Code – Effective Date Changed to June 12, 2018.....	3
Recurring Articles.....	4
Building Code Council Approved Rule Changes.....	4
Qualification Board Update.....	5
Minutes.....	5
Department Notes	6
Engineering Department	6
Personnel Notes	6
New Code Interpretations, Guidance Papers, and Appeals Posted	6

Q and A from the Deputy Commissioner	7
Cumulative Supplements.....	7
Qualifications Assurance Section – COQB, HILB & PYRO.....	8
NC Building Code Training	8
Reminders and other Resources	9
Inspector Marketplace – Find a Certified Inspector	9
Reminder: Limited time only, Free 2012 NC Code Downloads Available.....	10
The 2018 NC Code	10
Sunset date of Rehabilitation Code	10

Introduction

Welcome to the April, 2018 OSFM Engineering Newsletter. Of particular note in this newsletter, observe the Inspector Marketplace update for engineers and architects, Update on 2018 NC Codes and the 2017 NC Electric Code changed effective date.

Current Topics

Inspector Marketplace – Engineers and Architects as Code Officials

There have been three links added to the NC DOI OSFM Engineering and Codes website that are intended to aid both jurisdictions looking for certified inspectors, and for design professionals, who are interested as functioning as code officials. The first link is an explanatory document that explains the limits of this job function. The second link is a link to the sign up, and the third link is a list of engineers available for jurisdictions to draw from. The list is password protected, and the jurisdictions have access to those. The links are as follows:

Engineers and Architects – Explanatory document

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Documents/Engineers%20and%20Architects%20as%20CEOs.pdf

Link to sign-up

<https://www.surveymonkey.com/r/MPBQPW7>

Link to Inspector Marketplace

<https://www.surveymonkey.com/results/SM-H3XP5Q2H8/auth/>

Please read the information carefully. The sign up form clarifies that although NC Licensed Engineers or Architects may inspect *elements* or *components* of a building without being a Code Enforcement Official (CEO) per N.C. Gen. Stat. 153A-352(c) and 160A-412(c), if they would like to inspect *systems* of a building or an entire project must be certified by the NC Code Officials Qualification Board per N.C. Gen. Stat. 143-151.13(a). This sign up is a means of facilitating design professionals who want to become code enforcement officials, either full-time or part-time. In order to be a code enforcement official they must be employed by an inspection department.

The 2018 NC Code (Except Electrical) Implementation Diagram

The 2018 NC Code has been adopted, but it is not mandatorily required (effective) until Jan 1, 2019. There is a minimum six-month overlap time required between adoption and mandatory effective date. The most likely overlap period can start as soon as the adoption date. Then, on January 1, 2019 the 2018 NC code is effective, and the 2018 NC Code is the requirement. This overlap may be extended, but that cannot be predicted at this time. There should be ample time to have published code books by the July 1 2018 timeframe, and certainly by the Jan 1, 2019 timeframe.

The following represents a time line that may aid in planning when to budget for new code training and materials.

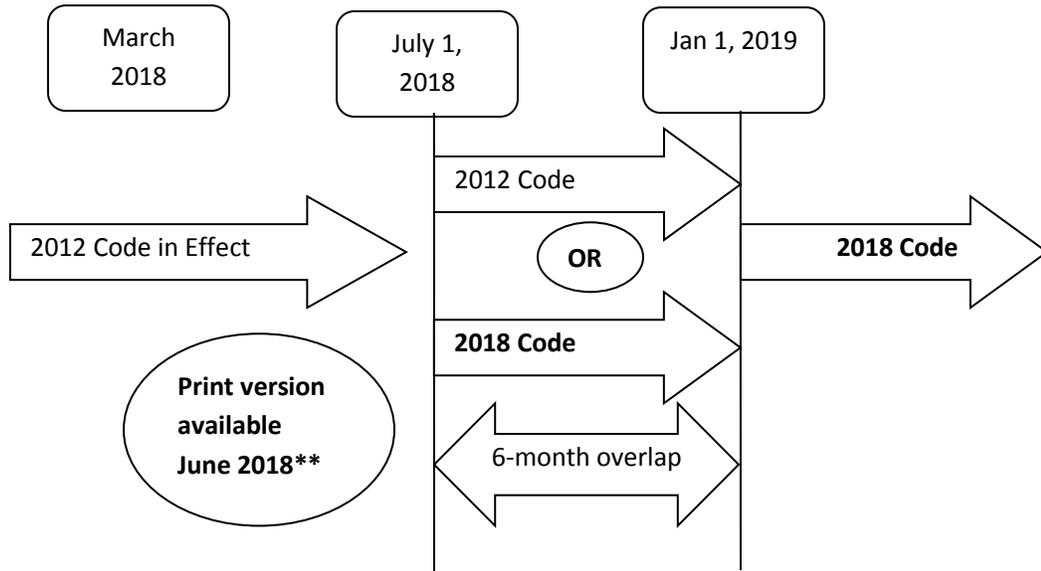


FIGURE 1: TENTATIVE ADOPTION AND EFFECTIVE DATES*

- *Dates of overlap and earliest adoption date (July 1, 2018) **are subject to variation** due to the direction of the Building Code Council.
- **The print availability is a best estimate, unfortunately it cannot be promised without caveats
- Remember, the newly adopted 2018 NC Building Code has passed Rules Review, therefore it is like any other code amendment and can be used as an alternate method prior to the effective date if requested by the user. Reference NC Administrative Code Section 102.5.

Update on 2017 NC Electrical Code – Effective Date Changed to June 12, 2018

The NC-specific Amendments to the 2017 NEC can be viewed at the following link:

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=Codes_-_Current_and_Past&user=State_Building_Codes#Elec

At Rules Review, a change was made to the effective date, due to the statutory requirement of having 6-months between the adoption date and the effective date. An e-mail blast was sent out to all Electrical Certificate holders by Mr. Joe Starling notifying them of this change. Other than that, there were no changes to the amendments as adopted by the BCC.

Reprint of E-mail Blast:

Attention all Electrical Community,

The Rules Review Commission of the North Carolina Office of Administrative Hearings approved the 2017 State Electrical Code on February 15, 2018 as having an effective date of **June 12, 2018**.

Electrical permits that are active between the dates of February 15, 2018 through June 12, 2018 shall be allowed to be regulated entirely by the 2017 State Electrical Code as an alternate method of construction by notifying the local authority having jurisdiction in accordance with section 102.5 of the NC Administrative Code and Policies.

North Carolina Administrative Code and Policies 102.5 Interim use of approved rules. Any rules that are adopted by the Building Code Council and approved by the Rules Review Commission shall be accepted by the Code Enforcement Official as an alternate method of construction prior to the effective date if requested by the owner or his agent.

Each individual electrical code edition is designed to be applied as a complete Code. Therefore, each electrical permit shall be regulated by only one complete edition of the State Electrical Code at a time unless granted special permission from the local authority having jurisdiction in accordance with section 90.4 of the permit's current governing electrical code.

The electrical section of the NCDOT/OSFM website has been updated to reflect this change including the final version of the Rules Review Commission's approved amendments at the link below. After clicking on the link for the "2017 NC Amendments pdf.", you may need to refresh the page because the old pdf. may have become cached in your browser.

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=Codes_-_Current_and_Past&user=State_Building_Codes#Elec

Remember, there is no overlap time period with the Electrical Code. The amendments can be printed out and inserted into any NFPA 70 – 2017 (NEC) document. The NC DOI code book sales presently does not have a stock of these, but it is widely available either through NFPA or other on-line sellers, and many electrical supply houses sell them at the counter.

Recurring Articles

Building Code Council Approved Rule Changes

At the March Building Code Council meeting, there were 5 D-Items and 1 of these was adopted. Please refer to the following link to review the list of D-Items from the March 2018 Building Code Council Meeting:

BCC Meeting Agenda-March 2018 (Minutes will be published online in June)

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Documents/BCC_Agendas/2018%2003~March%2013,%202018_.pdf

There was one D-item from the December BCC meeting sent back by Rules Review for further analysis and/or clarifications. The December D-item was:

- **Item D – 13 Request by Robert Privott, representing the NC Home Builders Association, to amend the 2018 Residential Code, Table N1102.1.2 and the 2018 Energy Conservation Code, Table R402.1.2 as follows (remainder omitted for brevity)**

The Rules Review February Minutes can be viewed at:

<http://www.ncoah.com/rules/rrc/Minutes%20February%202018%20-%20Signed.pdf>

Assuming the March BCC-approved D-Item is approved by the Rule Review Commission, the adopted rule will be placed on the NCDOT Engineering website. The compilation of previously approved rules is located in the document “**2017-2019 Approved Cumulative Amendments (Effective 1/1/2019)**” document. Previously approved amendments that had an effective date of January 1, 2017 or earlier can be found in the document “**Accumulative Supplement to the 2012 NC Building Code**”. This document contains all amendments from 2012, 2013, 2014, and 2016, and 2017 and are posted in this single document.

Accumulative Supplement to the 2012 NC Building Code links:

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Documents/2012_NCBuildingCode_amendments/2012-2017ApprovedCumulativeTest1Format.pdf

2017-2019 Approved Cumulative Amendments (Effective 1/1/2019)

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Documents/2012_NCBuildingCode_amendments/2017-2019%20Approved%20Cumulative%20171212.pdf

The full review of the March-approved code amendments is left to the reader, but **the titles of each item** are bulleted below. Please note the minutes may not be available on the DOI website until the next quarterly meeting in June 2018.

BCC Proposed Amendments-March 2018

- **Item D – 1 Request by Robert Privott and Buddy Hughes of the NC Home Builders Association, LOGIX, Inc., to amend the 2012 Residential Code, Section R404.1.2.3.6.1 as follows: R404.1.2.3.6.1 Stay-in-place forms. (Remainder not shown for brevity) - proposal withdrawn.**
- **Item D – 2 Request by Robert Privott and Buddy Hughes, representing the NC Home Builders Association, LOGIX, Inc., to amend the 2018 Residential Code, Section R318.4.5.1 as follows: R318.4.5.1 Inspection and treatment gaps. (Remainder not shown for brevity) - proposal withdrawn**
- **Item D – 3 Request by Robert Privott and Buddy Hughes, representing the NC Home Builders Association, LOGIX, Inc., to amend the 2018 Residential Code, Section R404.1.3.3.6.1 as follows: R404.1.3.3.6.1 Stay-in-place forms. (Remainder not shown for brevity) - proposal withdrawn**
- **Item D – 4 Request by Cliff Isaac, PE, representing the NC Department of Insurance, to amend the NC State Building Code, Volume 2018 NC Residential Code, as follows: R301.1.4 Notice of Usage. (Remainder not shown for brevity) – proposal denied**
- **Item D – 5 Request by Leon Skinner representing the City of Raleigh to amend the 2018 NC Plumbing Code – Section 403.1.1 (exception 2) and 2018 NC Building Code – Section 2902.1.1 (exception 2) as follows: (Remainder not shown for brevity) – proposal passed**

Qualification Board Update

Minutes

The minutes of the Qualifications Board Meeting Minutes are available at the following links:

Meeting Minutes and Agendas

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=COQB_-_Minutes&user=Code_Officials_Qualification_Board&sub=COQB_Meeting

Individuals wishing to provide feedback are encouraged to contact Kathy Williams at Kathy.Williams@ncdoi.gov

Department Notes

Engineering Department

Personnel Notes

Bill Kirk, PE, formerly the Chief Residential Code Consultant, has transferred within the department to Private Plan Review where his structural expertise will be fully utilized. The Chief Residential Code position will be covered by remaining staff until the position is filled.

New Code Interpretations, Guidance Papers, and Appeals Posted

Since the prior Newsletter, there has been the following web interpretations and guidance papers posted to aid the building owner, inspection, design professional, and construction personnel:

Code, Guidance, Appeals link:

[http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=Code Interpretations&user=State Building Codes](http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=Code_Interpretations&user=State_Building_Codes)

Guidance Papers

None since prior newsletter

These papers are to assist local jurisdictions on how NCDOT views a given law. These are not legal advice, but opinions. They are located under the table heading "SPECIFIC ACTIONS" in the Interpretations matrix.

Interpretations

Building

1009.13.1 - Roof Access Opening for 3-Story or Less Building.doc

Electrical

250.104(B) - Bonding of Gas Piping.doc

406.4(D)(2)(b) - GFCI Stickers.doc

Energy

101.2 - Senate Bill 131 Impact to the Application of the 2012 NC Energy Conservation Code.doc

Mechanical

0505.2 - Kitchen Exhaust Makeup Air Exceptions.doc

Plumbing

305.6 - Insulation of Thermal Expansion Tanks.doc

Residential

0602.3.1 - King Studs at a Wall Openings.doc

0101.2 - Pier, Dock, Bulkhead, and Waterway Structure Permit Requirements.doc

324 - Pier, Dock, Bulkhead, and Waterway Structure Permit Requirements.doc

Formal Interpretations and Appeals

No formal interpretations or appeals since prior newsletter

Formal interpretations and Appeals are available in the interpretations link shown above. They are located under the table heading "SPECIFIC ACTIONS".

Q and A from the Deputy Commissioner

UNDERSTANDING CODE

The January 2018 NCDOT Engineering Newsletter had the following Q and A from the Deputy Commissioner:

Q: Can an inspector require emergency light in a restroom under the NC Building Code?

A: No. An inspector cannot require anything more than Code.

R: The result of such a requirement is the building, design, council and/or legislature creating new rules of law.

While a straight-forward explanation, several follow-up questions were generated, and the following text is offered for a more in-depth response that addresses the tangential questions surrounding this topic:

Comment: While emergency lighting is not required, **NCBC 1006.1** also needs to be addressed.

NCBC 1006.1 states *The required means of egress, including the exit discharge, shall be illuminated at all times the building space served by the means of egress is occupied.* This means that *exit illumination* is required for egress from the restroom, but that *emergency-powered lighting* is not required for that exit illumination.

In verifying the interpretation with Carl Martin, Chief Building Code Consultant, Mr. Martin did state that “Section **1006.1** requires illumination in toilet rooms, but it does not require emergency power (ref. **1006.3**). An unswitched light on standard power that provides 1 footcandle (ref. **1006.2**) at the floor level in the toilet room will satisfy **NCBC 1006.1**...’Emergency lighting’ is what most people call emergency powered lighting. What we are talking about is egress lighting. Egress lighting complying with **1006.1** is required in toilet rooms, but emergency powered egress lighting is not required.”

- Emergency [powered] lighting has battery backup attached to the fixture and is **not required (NCBC 1006.6)** for toilet rooms.
- Egress lighting [illumination] **is required** for toilet rooms with more than one water closet (NCBC 1006.1) with a minimum of 1 footcandle.
- If you have been requiring emergency [powered] lighting (or battery back-up) there is no requirement. Any change in requirements would require a code change request to the Building Code Council.
- The lack of a specific requirement does not prevent a designer or owner from providing more than the minimum required by code, it simply cannot be required by a Code Official.

The **2018 NCBC 1008.3.3.5** will require emergency-powered illumination for public restrooms with an area greater than 300 sf.

Cumulative Supplements

Cumulative code changes and their adoption dates can be found on the DOI website at:

Cumulative code changes link:

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Documents/2012_NCBuildingCode_amendments/2017-2019%20Approved%20Cumulative%20171212.pdf

Please note that there are several amendments that have earlier effective dates than the Jan 1, 2019. Several Energy Code-related items were made effective March 1, 2018.

2012 NC Building Code

1301.1.1 Criteria. (170613 Item B-3)

1301.1.1 Criteria. Buildings shall be designed and constructed in accordance with the *International Energy Conservation Code*.

Exception: Per G.S. 143-138 (b18), no energy conservation code provisions shall apply to any structure for which the primary occupancy classification is Group F, S, or U. This exclusion shall apply to the entire building area.

The effective date of this Rule is March 1, 2018.

The Statutory authority for Rule-making is G. S. 143-136; 143-138.

2012 NC Energy Conservation Code

101.2 Scope. (170613 Item B-4)

101.2 Scope. This code applies to *residential* and *commercial* buildings.

Exception: Per G.S. 143-138 (b18), no energy conservation code provisions shall apply to any structure for which the primary occupancy classification is Group F, S, or U pursuant to Chapter 3 of the 2012 *North Carolina Building Code*. This exclusion shall apply to the entire building area.

The effective date of this Rule is March 1, 2018.

The Statutory authority for Rule-making is G. S. 143-136; 143-138.

2015 NC Existing Building Code

101.12 Energy conservation. (170613 Item B-5)

101.12 Energy conservation.

Per G.S. 143-138 (b18), no energy conservation code provisions shall apply to any structure for which the primary occupancy classification is Group F, S, or U. This exclusion shall apply to the entire building area.

The effective date of this Rule is March 1, 2018.

The Statutory authority for Rule-making is G. S. 143-136; 143-138.

2017-2019 Approved Cumulative Amendments (Effective 1/1/2019)

Remember, refer to NC Administrative Code section **102.4 Effective date of rules**, and **102.5 Interim use of approved rules** for clarification of effective dates and the process for using approved rules prior to the effective date.

Qualifications Assurance Section – COQB, HILB & PYRO

NC Building Code Training

The most up-to-date training schedule for all building codes are available at the following link:

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=Code_Education_-_Student_Main&user=Code_Education_Resources

Once the web page is accessed, click the “**FIND A CLASS**” button to refine your search. As always, please consider the use of the Standard Classes if you are a design professional, contractor, or code official, as they are an underutilized offering and are the primary source of code training in NC.

The NC Plumbing Inspectors Association, NC Mechanical Inspectors Association have published their winter and spring 2018 training. There are still some Plumbing and Mechanical Code training courses remaining. Please review the respective association websites, in addition to the NC DOI website for available training.

COCO Newsletters

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=Code_Enforcement_-_COCO_Newsletters&user=Code_Enforcement_Resources

Watch for the March/April COCO newsletter for the Summer Training at the COCO Summer Conference.

<http://www.ncbia.org/>

Winter Seminars complete, look for COCO Summer Conference

<http://ncpia.us/>

April 12, 2018 in Morganton

May 9, 2018 in High Point

September 20, 2018 in Calabash

October 24, 2018 in Burlington

Refer to COCO Summer Conference for further training opportunities

<http://ncmia.com/>

April 11th – Wilson

April 9th – Morganton

TBA – Jacksonville

May 16th – Monroe

Refer to COCO Summer Conference for further training opportunities

<http://www.ncfma.com/>

College complete for 2018, look for COCO Summer Conference

Refer to COCO Summer Conference for further training opportunities

<http://www.nciaei.org/>

Annual Electrical Institute is April 3-4, 2018. Look for COCO Summer Conference for further training opportunities.

Reminders and other Resources

Inspector Marketplace – Find a Certified Inspector

There have been two links added to the NC DOI OSFM website that are intended to aid both jurisdictions looking for certified inspectors, and for part-time and/or retired inspectors to be able to communicate their availability for work. The links are as follows:

Webpage links are located

http://www.ncdoi.com/OSFM/Engineering_and_Codes.aspx

Link to sign-up

<https://www.surveymonkey.com/r/CEOs4hire>

Link to Inspector Marketplace

<https://www.surveymonkey.com/results/SM-8DNHVPY5/auth/>

Reminder: Limited time only, Free 2012 NC Code Downloads Available

As noted in prior Engineering Newsletters, the Building Code Council and the NC Department of Insurance have negotiated for and achieved funding from the NC General Assembly for the offering of a free (free to the user) downloads of the 2012, 2014 and 2015 NC Building Codes. These codes are the fully downloadable and printable for a limited time courtesy of the Department of Insurance. The link to the codes is:

<https://codes.iccsafe.org/public/collections/nc>

Please take advantage of this limited time offer.

The 2018 NC Code

Frequently Asked Questions

These very good questions are being asked concerning the 2018 NC Code, and here are the best available answers.

When will print versions of the 2018 NC Code be available for purchase?

- Although an exact date cannot be promised, all indications are that they will be available by June 2018.

Will pre-orders be taken in the event they are not available, thereby letting me get the costs into the 2017-2018 fiscal year?

- In past years, the publisher, ICC has taken pre-orders. It is likely this will occur again, but unfortunately we cannot promise this.

How much will they cost?

- A fixed cost per manual is not yet published. It is anticipated that the costs per manual will be similar to the 2012 NC codes

Sunset date of Rehabilitation Code

With the adoption of the 2015 NC Existing Building Code, a sunset date of March 1, 2018 was selected for the Rehabilitation Code. After this date, that book can no longer be used.

The 2012 NC Rehab Code sunset on March 1, 2018. You can also find that date mention here:

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=State_Building_Codes_USER&user=State_Building_Codes

Excerpt from website:

Rehabilitation Code

The 2012 NC Rehabilitation Code became effective January 1, 2015 through February 28, 2018.

(So, March 1 it is no longer in effect). The Rehab Code is no longer available as a code path.

End of Newsletter