



NOTICE OF TEXT

[Authority G.S. 150B-21.2(c)]

OAH USE ONLY

VOLUME:

ISSUE:

CHECK APPROPRIATE BOX:

- ☒ Notice with a scheduled hearing
☐ Notice without a scheduled hearing
☐ Republication of text. Complete the following cite for the volume and issue of previous publication, as well as blocks 1 - 4 and 7 - 14. If a hearing is scheduled, complete block 5.
Previous publication of text was published in Volume: Issue:

1. Rule-Making Agency:

Code Officials Qualification Board

2. Link to agency website pursuant to G.S. 150B-19.1(c):

<https://www.ncosfm.gov/about/rules-and-legislative-reports/rules>

3. Proposed Action -- Check the appropriate box(es) and list rule citation(s) beside proposed action:

☐ ADOPTION:

☒ AMENDMENT:

11 NCAC 08 .0602

☐ REPEAL:

☐ READOPTION with substantive changes:

☐ READOPTION without substantive changes:

☐ REPEAL through READOPTION:

4. Proposed effective date: April 1, 2026

5. Is a public hearing planned? ☒ Yes ☐ No

If yes: Public Hearing date: January 7, 2026

Public Hearing time: 10:00am

Public Hearing location: Office of the State Fire Marshal
1429 Rock Quarry Road, Suite 105
Raleigh, NC 27610

6. If no public hearing is scheduled, provide instructions on how to demand a public hearing:

7. Explain Reason For Proposed Rule(s):

The North Carolina Code Officials Qualification Board (COQB) proposes to amend 11 NCAC 08 .0602 by deleting Subparagraph (a) (4), which currently allows applicants for probationary certificates to qualify by achieving a passing grade of at least 70 percent on community college courses for certification in building, electrical, fire, mechanical, or plumbing inspection at Levels I, II, or III. The current provision inadvertently permits an individual to qualify for a probationary Level III certificate—for example, as a Building Inspector—based solely on passing a community college course and without meeting the experience or examination requirements established by the Board for Level I, II, or III standard certificates or ever having earned a Level I or Level II probationary certificate. This has the effect of allowing a newly employed or newly promoted code enforcement official with only a high school diploma or equivalent to perform high-level inspections, including inspections of high-rise buildings and other complex structures in the case of Level III building inspectors, without the training or demonstrated competency required for such work. The Board has determined that this pathway undermines the intent of G.S. 143-151.13 by enabling individuals to bypass the graduated structure of code enforcement certification. The proposed amendment will ensure that probationary certification remains consistent with statutory intent and public safety expectations by removing the community college course grade as a qualifying condition.

8. Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission. If the Rules Review Commission receives written and signed objections in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 984-236-1850.

☐ Rule(s) is automatically subject to legislative review. Cite statutory reference:

9. The person to whom written comments may be submitted on the proposed rule(s):

Name: Kyle Heuser

Address:

Office of the State Fire Marshal, 1202 Mail Service Center, Raleigh, NC 27699-1202

Phone (optional):

Fax (optional):

E-Mail (optional): OSFM.Rulemaking@ncdoi.gov

10. Comment Period Ends: January 30, 2026

11. Fiscal impact. Does any rule or combination of rules in this notice create an economic impact? Check all that apply.

- ☐ State funds affected
- ☐ Local funds affected
- ☐ Substantial economic impact ($\geq \$1,000,000$)
- ☐ Approved by OSBM
- ☒ No fiscal note required

12. Rule-making Coordinator:

Kyle Heuser

Phone: 919.647.0100

E-Mail:

OSFM.Rulemaking@ncdoi.gov

Additional agency contact, if any:

Joseph Starling

Phone: 919.397.6159

E-mail:

joseph.starling@ncdoi.gov

13. The Agency formally proposed the text of this rule(s) on

Date: October 28, 2025

14. Signature of Agency Head* or Rule-making Coordinator:

Typed Name: Kyle Heuser

Title: Rulemaking Coordinator

**If this function has been delegated (reassigned) pursuant to G.S. 143B-10(a), submit a copy of the delegation with this form.*