



BRIAN TAYLOR
STATE FIRE MARSHAL

April 20, 2026

Mr. Cliff Isaac, PE
Director of Codes and Construction
North Carolina Home Builders Association
P.O. Box 99090
Raleigh, NC 27624-9090

RE: 2018 NC Administrative Code and Policies (NCACP), Section 107 Inspections

Mr. Isaac:

This letter is in response to your request for a formal interpretation from the Office of State Fire Marshal ("OSFM") dated 3/20/26 and received by OSFM the same day. Requests are addressed below in the order in which they are posed.

Stated in relevant parts of the documentation received in the request:

"I am writing to formally request an interpretation pursuant to NCAC Section 203.2.1.2, regarding the permissibility of partial inspections under **Section 107** of the North Carolina Administrative Code.

Section 107.1 of the North Carolina Administrative Code establishes the required inspections to be performed by local inspection departments, including footing, under slab (as appropriate), foundation, rough-in, building framing, insulation, fire protection (non-residential dwelling code construction), and final inspections. The commentary to **Section 107.1** provides in part:

"Nothing in any of Sections 107.1.1 through 107.1.8 requirements is intended to prevent partial inspections of the inspection types listed in Section 107.1 'General' as requested by the permit holder as allowed by the local inspection department. Cumulative partial inspections approved by the code official shall satisfy the same degree of readiness for inspection..."

Section 107.2 assigns responsibility to the permit holder to ensure work is ready for inspections and accessible. **Section 107.3** further provides, in part, that:

"The code enforcement official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder that the work fails to comply with the technical code..."

Additionally, **NCGS 143-139.4(a)** states:

OFFICE OF STATE FIRE MARSHAL



“When a permit holder has been informed by a local inspection department that any inspection has not been, or will not be, conducted within two business days after first requested, the permit holder may request in writing that the State Fire Marshal assign personnel to conduct the inspection.”

In practice, some local inspection departments reportedly decline requests for partial inspections, such as performing a rough-in or final inspection for a specific trade without all disciplines being inspected at the same time (plumbing, mechanical, electrical, building). Instead, these departments require selective or the entire disciplines to be complete prior to conducting any inspection shown under **Section 107.1**.

Accordingly, the question presented is as follows:

Does Section 107 of the North Carolina Administrative Code permit a local inspection department to deny a permit holder’s request for a partial inspection of a specific trade discipline (e.g., plumbing, electrical, mechanical, or building), when that portion of the work is complete and ready for inspection?

Section 107.3 requires that inspections be performed “*upon notification*,” the commentary to **Section 107.1** explicitly acknowledges partial inspections, and **NCGS 143-139.4** establishes two-business-day expectation for requested inspections. Clarification is therefore requested as to whether local jurisdictions may restrict inspections to only full or combined inspections or require multiple trades or full project readiness prior to performing any inspection listed in **Section 107.1**.

A formal interpretation is respectfully requested to clarify whether local governments may deny or condition inspection requests in a manner that prevents partial inspections of otherwise complete and ready work.”

Remarks:

Attachment A comprises of the request for formal interpretation as well as all supporting information submitted with the request.

Code Analysis: A code enforcement official makes routine inspections in accordance with 2018 NCACP, Section 107, N.C.G.S. 160D-1104 and 160D-1113 to verify code compliance with the suite of eleven codes that comprises the 2018 North Carolina State Building Code during certain phases of construction. Nothing in any of the eight listed routine inspections in 2018 NCACP, Section 107.1 is intended to prevent partial inspections as requested by the permit holder as allowed by the local inspection department. Cumulative partial inspections approved by the code enforcement official shall satisfy the same degree of readiness for inspection for viewing as described in any of the eight listed routine inspections in 2018 NCACP, Section 107.1.

....



107.1 General. The inspection department shall perform the following inspections:

1. Footing inspection;
2. Under slab inspection, as appropriate;
3. Foundation inspection;
4. Rough-in inspection;
5. Building framing inspection;
6. Insulation inspection;
7. Fire protection inspection; and
8. Final inspection.

Commentary: The code enforcement official makes these inspections during certain phases of construction and is not on site at all times when construction is in progress. The code official verifies code compliance and/or code defects visible and subject to discovery during the above listed inspections and spot checks numerous similar items.

Nothing in any of Sections 107.1.1 through 107.1.8 requirements is intended to prevent partial inspections of the inspection types listed in Section 107.1 "General" as requested by the permit holder as allowed by the local inspection department. Cumulative partial inspections approved by the code official shall satisfy the same degree of readiness for inspection for viewing as described in Sections 107.1.1 through 107.1.8.

Not all items, such as, but not—limited to, nailing of roof or other sheathing material, are always visible at framing inspection, but remain the responsibility of the permit holder to comply with the code.

Temporary electrical service poles may be inspected at any phase of construction as requested by the permit holder. Temporary utility (TU) applications deemed safe by the AHJ or as otherwise permitted by the code shall be allowed.

....

107.2 Inspection requests. It shall be the duty of the permit holder or his or her agent to notify the code enforcement official when work is ready for inspection and to provide access to and means for inspection of the work for any inspections that are required by this code.

107.3 Approval required. Work shall not be done beyond the point indicated in each successive inspection without first obtaining the approval of the code enforcement official. The code enforcement official, upon notification, shall make the requested inspections and shall either indicate the portion of the construction that is satisfactory as completed, or shall notify the permit holder or an agent of the permit holder that the work fails to comply with the technical codes. The code enforcement official shall identify code violations and when requested shall identify the specific sections of the technical codes. Any work that does not comply shall be corrected and shall not be covered or concealed until authorized by the code enforcement official.

....



§ 160D-1104. Duties and responsibilities.

(a) The duties and responsibilities of an inspection department and of the inspectors in it are to enforce within their planning and development regulation jurisdiction State and local laws relating to the following:

- (1) The construction of buildings and other structures.
- (2) The installation of such facilities as plumbing systems, electrical systems, heating systems, refrigeration systems, and air-conditioning systems.
- (3) The maintenance of buildings and other structures in a safe, sanitary, and healthful condition.
- (4) Other matters that may be specified by the governing board.

(b) The duties and responsibilities set forth in subsection (a) of this section include the receipt of applications for permits and the issuance or denial of permits, **the making of any necessary inspections in a timely manner**, the issuance or denial of certificates of compliance, the issuance of orders to correct violations, the bringing of judicial actions against actual or threatened violations, the keeping of adequate records, and any other actions that may be required in order adequately to enforce those laws. The governing board has the authority to enact reasonable and appropriate provisions governing the enforcement of those laws.

(c) **In performing the specific inspections required by the North Carolina State Building Code, the inspector shall conduct all inspections requested by the permit holder for each scheduled inspection.** For each requested inspection, the inspector shall inform the permit holder of instances in which the work inspected fails to meet the requirements of the North Carolina State Building Code. An inspector is prohibited from requiring affidavits attesting that work is in compliance with the North Carolina Residential Code in lieu of conducting inspections required for work subject to the North Carolina Residential Code.

(d) **Except as provided in G.S. 160D-1117 and G.S. 160D-1207, a local government may not adopt or enforce a local ordinance or resolution or any other policy that requires regular, routine inspections of buildings or structures constructed in compliance with the North Carolina Residential Code in addition to the specific inspections required by the North Carolina State Building Code without first obtaining approval from the Residential Code Council.** A local government may not adopt or enforce a local ordinance or resolution or any other policy that requires routine exterior sheathing inspections for structures or dwellings covered by the North Carolina Building Code or North Carolina Residential Code located in a region where the ultimate wind speed is less than 140 miles per hour. The Residential Code Council shall review all applications for additional inspections requested by a local government and shall, in a reasonable manner, approve or disapprove the additional inspections. This subsection does not limit the authority of the local government to require inspections upon unforeseen or unique circumstances that require immediate action. **In performing the specific inspections required by the North Carolina Residential Code, the inspector shall conduct all inspections requested by the**



permit holder for each scheduled inspection. For each requested inspection, the inspector shall inform the permit holder of instances in which the work inspected is incomplete or otherwise fails to meet the requirements of the North Carolina Residential Code or the North Carolina State Building Code. When a subsequent inspection is conducted to verify completion or correction of instances of Code noncompliance, any additional violations of the Code noted by the inspector on items already approved by the inspections department shall not delay the issuance of a temporary certificate of occupancy, and the inspections department shall not charge a fee for reinspection of those items.

(d1) Expired effective December 31, 2024, pursuant to Session Laws 2021-192, s. 6.

(d2) An inspection department shall not charge the permit holder a fee or fail an inspection of a building or structure subject to the North Carolina Residential Code, if the permit holder cancels a scheduled inspection more than one business day before the scheduled inspection.

(e) Each inspection department shall implement a process for an informal internal review of inspection decisions made by the department's inspectors. This process shall include, at a minimum, the following:

(1) Initial review by the supervisor of the inspector.

(2) The provision in or with each permit issued by the department of (i) the name, phone number, and email address of the supervisor of each inspector and (ii) a notice of availability of the informal internal review process.

(3) Procedures the department must follow when a permit holder or applicant requests an internal review of an inspector's decision.

(f) Expired effective October 1, 2021, pursuant to Session Laws 2020-25, s. 28(b).

(g) No later than 60 days after an inspection of a dock, pier, or catwalk or walkway that has been replaced in the coastal area, as that term is defined under G.S. 113A-103(2), an inspection department shall notify the Division of Coastal Management of the replacement. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 28(a), (b), 51(a), (b), (d); 2021-117, s. 12.5(b); 2021-121, s. 4(a); 2021-183, s. 1(a); 2021-192, s. 3; 2023-108, ss. 1(j), 4(b); 2024-45, s. 15.2(a); 2024-49, s. 1.7; 2025-25, s. 29(1); 2025-94, s. 3.)

....

§ 160D-1113. Inspections of work in progress.

Subject to the limitation imposed by G.S. 160D-1104(d), as the work pursuant to a building permit progresses, local inspectors shall make as many inspections thereof as may be necessary to satisfy them that the work is being done according to the provisions of any applicable State and local laws and of the terms of the permit. In exercising this power, members of the inspection department have a right to enter on any premises within the jurisdiction of the department at all reasonable hours for the purposes of inspection or other enforcement action, upon presentation of proper credentials. If a building permit has been obtained by an owner exempt from licensure under G.S. 87-1(b)(2), no



inspection shall be conducted without the owner being present, unless the plans for the building were drawn and sealed by an architect licensed pursuant to Chapter 83A of the General Statutes. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, ss. 31, 51(a), (b), (d).)

Conclusions: 2018 NCACP, Section 107 does not require an inspections department to conduct a partial inspection of a portion of the work that would otherwise be reviewed in one of the eight listed routine inspections in 2018 NCACP, Section 107.1 where a specific tradesperson already has completed a portion of the work and the permit holder has requested such a partial inspection.

2018 NCACP, Section 107.1 establishes the eight listed routine inspections, and N.C.G.S 160D-1104(d) limits local governments from adopting any other regular, routine inspections. Additionally, the first paragraph of 2018 NCACP, Section 107.1 Commentary clarifies that 2018 NCACP, Section 107.1 only applies to the eight listed routine inspections. Although the second paragraph of 2018 NCACP, Section 107.1 Commentary states that a code enforcement official may conduct various “partial inspections” in the course of completing the eight listed routine inspections, such “partial inspections” are only “as allowed” and “approved by” the code enforcement official.

That an inspections department is only required to conduct the eight listed routine inspections in due order is also confirmed elsewhere in the regulations and the statutes.

If the number of inspections were not limited by 2018 NCACP, Section 107.1, then inspections departments could expand upon the eight listed routine inspections by requiring other, routine inspections under N.C.G.S. 160D-1113.

If these provisions did not limit the number and order of routine inspections, then inspections departments could conduct however many inspections requested at any time in the building process.

Sincerely,

David Rittlinger, PE, LEED AP
Division Chief – Codes & Interpretations
North Carolina Office of State Fire Marshal

cc: Nathan Childs, NCDOJ, counsel for NC Building Code Council, nchilds@ncdoj.gov
Nicki Shaffer, NCDOJ, counsel for NC Residential Code Council, wshaffer@ncdoj.gov
Kyle Heuser, NCOSFM, Assistant General Counsel, kyle.heuser@ncdoi.gov
Pak Yip, NCOSFM, Chief Code Consultant, pak.yip@ncdoi.gov



ATTACHMENT A

(see attached pdf)





**APPENDIX E
 APPEALS
 NORTH CAROLINA
 BUILDING CODE COUNCIL
 1429 Rock Quarry Road, Suite 105
 Raleigh, North Carolina 27610
 (919) 647-0008
 david.rittlinger@ncdoi.gov**

APPEAL TO NCDOI/NCBCC Hearing Date _____ / _____ / _____

GS 153A-374, GS 160A-434
 Formal Interpretation by NCDOI _____
 Appeal of Local Decision to NCDOI _____

GS 143-140, GS 143-141
 Appeal of Local Decision to NCBCC _____
 Appeal of NCDOI Decision to NCBCC _____

APPELLANT CLIFF ISAAC PHONE (919) 676 - 9090 x _____
 REPRESENTING NC HOME BUILDERS ASSOCIATION
 ADDRESS 5580 CENTERVIEW DRIVE, SUITE 415
 CITY RALEIGH STATE NC ZIP 27606
 E-MAIL cisacc@nchba.org FAX (_____) _____ - _____

North Carolina State Building Code, Volume Administrative - Section 107

REQUEST ONE: Formal Interpretation by NCDOI Appeal of Local Decision to NCBCC
 Appeal of Local Decision to NCDOI Appeal of NCDOI Decision to NCBCC

Type or print. Include all background information as required by the referenced General Statutes and the attached policies. Attach additional supporting information.

Please see letter attached to this email.

REASON:
Seeking clarification on partial inspections.

Signature *Cliff Isaac* DATE: 3/20/2026 APPEAL TO NCDOI/NCBCC FORM 3/14/17

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March 20, 2026

Mr. David Rittlinger, PE
Office of State Fire Marshal
1202 Mail Service Center
Raleigh, NC 27699-1202

Re: Request for Formal Interpretation – Partial Inspections under Section 107

Dear Mr. Rittlinger:

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RAY RHODES (2008)
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LYLE GARDNER (2010)
BILL DALEURE (2011)
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J. GARY HILL (2013-14)
SEAN SULLIVAN (2015)

BRIAN PACE (2016)
GARY EMBLER (2017)
ALAN BANKS (2018)
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MARK MARTIN (2020)
MICHAEL ENSCORE (2021)
WES CARROLL (2022)
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CODY BYRD (2024)
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Page 2

Accordingly, the question presented is as follows:

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Section 107.3 requires that inspections be performed “upon notification,” the commentary to **Section 107.1** explicitly acknowledges partial inspections, and **NCGS 143-139.4** establishes a two-business-day expectation for requested inspections. Clarification is therefore requested as to whether local jurisdictions may restrict inspections to only full or combined inspections or require multiple trades or full project readiness prior to performing any inspection listed in **Section 107.1**.

A formal interpretation is respectfully requested to clarify whether local governments may deny or condition inspection requests in a manner that prevents partial inspections of otherwise complete and ready work.

Please feel free to contact me at (919) 676-9090 should you have any questions or require additional information. Thank you for your time and assistance in clarifying this matter.

Sincerely,



Cliff Isaac, PE
Director of Codes and Construction

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