

11 NCAC 08 .0706 is proposed for amendment as follows:

11 NCAC 08 .0706 REQUIRED QUALIFICATIONS: TYPES AND LEVELS

(a) Qualification Levels: With respect to all types of code-enforcement officials certified by the Board prior to January 1, ~~2025, 2027~~, those with Level I, Level II, or Level III certificates shall be qualified to inspect and approve only those buildings limited by the occupancy classification for Fire inspectors and by the occupancy classification, number of stories, and square feet (sf) per floor area of buildings for Building, Electrical, Mechanical, and Plumbing inspectors, as shown in Subparagraphs (a)(1) and (a)(2) of this Rule. Code-enforcement officials certified for Level I and II shall be authorized to inspect and approve these buildings until December 31, ~~2030, 2032~~. Any code-enforcement official with a probationary Level I or Level II certificate, who earns a Standard Level I or Level II certificate between January 1, ~~2025, 2027~~ and December 31, ~~2030, 2032~~, shall be qualified to inspect and approve only those buildings shown in Subparagraphs (a)(1) and (a)(2) of this Rule until December 31, ~~2030, 2032~~. As of January 1, ~~2031, 2033~~, code-enforcement officials certified for Level I and Level II shall continue to be certified at those same levels but shall be qualified to inspect and approve only those types of buildings shown in Subparagraph (a)(3) of this Rule. Standard Level III certificates shall be authorized to inspect and approve the types of buildings shown in Subparagraph (a)(3) of this Rule indefinitely.

- (1) Fire inspectors shall be limited to occupancy classifications, Highrise, and plan review as follows, except all Levels include Business, Mercantile, Residential, and Utility and Miscellaneous:
 - (A) Level I. Assembly (limited to 1 story/20,000 sf), Factory Industrial F-2, and Storage S-2. No Highrise or plan review.
 - (B) Level II. Assembly, Educational, Factory Industrial F-1 and F-2, and Storage S-1 and S-2. Plan review.
 - (C) Level III. Assembly, Educational, Factory Industrial F-1 and F-2, Hazardous, Institutional, and Storage S-1 and S-2. Highrise and plan review.
- (2) Building, Mechanical, Electrical and Plumbing inspectors shall be limited to occupancy classifications, number of stories, and square feet (sf) per floor as follows, except for any Level, there shall be no number of stories or square footage limit for one and two family dwellings and townhouses or Utility and Miscellaneous.
 - (A) Level I. Single (1) story/7,500 sf, for Assembly, Education, Institutional, and Residential Multi-unit. Single (1) story/20,000 sf, for Business, Factory Industrial, Mercantile, and Storage. Single (1) story/3,000 sf, for Hazardous.
 - (B) Level II. Single (1) story/10,000 sf, for Institutional; 20,000 sf, for Assembly, Education, and Hazardous; and, 60,000 sf, for Business, Factory Industrial, and Mercantile. Multi-story: 2 stories, maximum 20,000 sf per floor for Education and Hazardous. Multi-story: 3 stories, maximum 10,000 sf per floor Institutional; and, unlimited sf Residential Multi-unit. Multi-story: 4 stories, maximum 20,000 sf per floor for Business, Factory Industrial, and Mercantile.
 - (C) Level III. Unlimited stories and sf per floor.
- (3) ~~With respect to all types of code-enforcement officials-officials, except fire inspectors, newly certified by the Board on or after January 1, 2025, 2027, those with Level I, Level II, or Level III certificates are qualified to inspect and approve buildings as follows except for any Level there shall be no number of stories or square footage limit for one and two family dwellings and townhouses or Utility and Miscellaneous:~~
 - (A) Level I inspectors shall be qualified to perform code-enforcement official duties for residential buildings up to three stories in height with no more than four dwelling units subject to the limitations for the type of inspector.
 - (B) Level II inspectors shall be qualified to perform code-enforcement official duties for commercial buildings subject to the limitations for the type of inspector.
 - (C) Level III inspectors shall be qualified to perform code-enforcement official duties for any residential or commercial building or structure subject to the limitations for the type of inspector.
- (4) With respect to fire inspectors newly certified by the Board on or after January 1, 2027, those with Level I, Level II, or Level III certificates are qualified to inspect and approve buildings as provided in Rule .0741 of this Section.

(b) Whenever a provision of the rules in this Section requires a supporting letter (maximum of two per level) from a supervisor, the letter(s) shall be notarized, shall state the supervisor's qualifications (i.e., what type and level of

certificate or license the supervisor holds), shall state that the applicant has worked under the supervisor's direct supervision for a specified period of time, and shall recommend certification of the applicant as a specified type and level of inspector upon satisfaction of other required qualifications. The supervisor shall describe the name, floor area, and number of stories of the buildings worked on by the applicant and shall describe the work performed by the applicant.

(c) References in the rules in this Section to professional engineer or licensed engineer means engineers licensed by the North Carolina State Board of Examiners for Engineers and Surveyors pursuant to Chapter 89C of the North Carolina General Statutes. References in the rules in this Section to registered architect means architects licensed by the Board of Architecture pursuant to Chapter 83A of the North Carolina General Statutes. References to licensed building, residential, electrical, heating, plumbing, and fire sprinkler contractors means contractors licensed by the State Licensing Board for General Contractors, the North Carolina State Board of Examiners of Electrical Contractors, or the North Carolina State Board of Examiners of Plumbing, Heating and Fire Sprinkler Contractors, pursuant to Chapter 87 of the North Carolina General Statutes. References to licensed "building" contractors do not include licensed "residential" contractors. Specialty licenses issued by these occupational licensing boards are applicable as prescribed by the inspector type and level contained in this Section. Applicants with licenses from other states or countries must provide a copy of their license and documentation to prove that the requirements of the other state or country are at least equivalent to the statewide licensing requirements of North Carolina occupational licensing boards.

(d) Whenever a provision of the rules in this Section requires the possession of an occupational license other than those certificates that are issued by the Board, if that license is inactive, the applicant must provide documentation from the appropriate occupational licensing board to prove that the applicant previously held the license and that the license is currently inactive.

(e) Whenever a provision of the rules in this Section requires inspector experience on a minimum number of buildings or systems, the experience must include all the inspections typically performed by an inspector during construction of the building or system. Inspections do not have to be performed on the same building.

(f) Whenever a provision of the rules in this Section requires a high school education or other education and experience qualifications, the Board may approve equivalent qualifications. Whenever a provision of the Rules in this Section requires the possession of a diploma or degree from an accredited college, university, or trade school, accredited shall mean accreditation from a regional accrediting association, for example, Southern Association of Colleges and Schools.

(g) Every applicant for a standard certificate shall:

- (1) provide documentation that the applicant possesses a minimum of a high school education or a high school equivalency certificate; and
- (2) provide notarized certification by a city or county manager, clerk, or director of inspection department that the applicant will be performing "code enforcement", as defined in G.S. 143-151.8(a)(3), as an employee of or under contract with that city or county jurisdiction; or provide certification by the head of the Engineering and Building Codes Division of the North Carolina Office of State Fire Marshal that the applicant will be performing "code enforcement", as defined in G.S. 143-151.8(a)(3), for a state department or agency; and
- (3) make a passing grade of at least 70 percent on a law and administration course administered and taught by a Board-approved sponsor; and
- (4) make a passing grade of at least 70 percent on courses for certification in building, electrical, fire prevention, mechanical, or plumbing inspection at Levels I, II, or III, unless exempted by 11 NCAC 08 .0707. For the purpose of entry into the state examination, courses must be completed within five years of the exam in Subparagraph (g)(5) of this Rule. These courses shall be administered and taught by the North Carolina Office of State Fire Marshal and the North Carolina Community College System or other educational agencies accredited by a regional accrediting association; for example, Southern Association of Colleges and Schools; and
- (5) make a passing grade of 70 percent on the state examination administered by the Board for each inspector type and level of certification, unless exempted by 11 NCAC 08.0707.

History Note: *Authority G.S. 143-151.12(1); 143-151.12(9); 143-151.13;*
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Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9,
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