

1 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
2 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

3 **Reason Given** – The purpose of this amendment is to allow the exception included in the 2018 IBC.

4 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with minor decrease in cost.
5 This rule is not expected to either have a substantial economic impact or increase local and state funds. A
6 fiscal note has not been prepared.

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9 **2. Request by Ryan Miller representing the NC Building Performance Association to amend the 2018**
10 **NC Energy Conservation Code, Section R406.6.2 Compliance Report as follows:**

11
12 5. The RESNET Registry number (or equivalent) for the ERI.

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14 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
15 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

16 **Reason Given** – The purpose of this amendment is to assure the use of an ERI for code compliance that is
17 certified and registered with an oversight organization (RESNET).

18 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with no net decrease/increase
19 in cost. This rule is not expected to either have a substantial economic impact or increase local and state
20 funds. A fiscal note has not been prepared.

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23 **3. Request by Ryan Miller representing the NC Building Performance Association to amend the 2018**
24 **NC Residential Code, Section N1106.6.2 (R406.6.2) Compliance Report as follows:**

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26 5. The RESNET Registry number (or equivalent) for the ERI.

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28 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
29 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

30 **Reason Given** – The purpose of this amendment is to assure the use of an ERI for code compliance that is
31 certified and registered with an oversight organization (RESNET).

32 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with no net decrease/increase
33 in cost. This rule is not expected to either have a substantial economic impact or increase local and state
34 funds. A fiscal note has not been prepared.

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1 **4. Request by Ryan Miller representing the NC Building Performance Association to amend the 2018**
2 **NC Residential Code, Section N1106.6.1 (R406.6.1) Compliance Software Tools as follows:**

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4 N1106.6.1 (R406.6.1) Compliance software tools. Compliance software tools for this section shall be in
5 compliance with ANSI/RESNET/ICC 301-2014 (Including Addenda A & B).

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7 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
8 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

9 **Reason Given** – The purpose of this amendment is to provide a reference to a readily available ERI
10 calculation method.

11 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with no net decrease/increase
12 in cost. This rule is not expected to either have a substantial economic impact or increase local and state
13 funds. A fiscal note has not been prepared.

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16 **5. Request by Ryan Miller representing the NC Building Performance Association to amend the 2018**
17 **NC Residential Code, Section N1106.2 (R406.2) Mandatory Requirements as follows:**

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19 N1106.2 (R406.2) Mandatory requirements. Compliance with this section requires that the provisions
20 identified in Sections N1101.14 through N1104 labeled as “mandatory” be met. The building thermal
21 envelope shall be greater than or equal to levels of efficiency and Solar Heat Gain Coefficient in Table
22 402.1.1 or Table 402.1.3 of the 2012 North Carolina Energy Conservation Code. Minimum standards
23 associated with compliance shall be the ANSI/RESNET/ICC 301-2014 Standard (Including Addenda A
24 and B) for the Calculation and Labeling of the Energy Performance of Low-Rise Residential Buildings
25 using Energy Rating Index. A North Carolina registered design professional or certified HERS rater is
26 required to perform the analysis if required by North Carolina licensure laws.

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28 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
29 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

30 **Reason Given** – The purpose of this amendment is to provide a reference to a readily available ERI
31 calculation method.

32 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with no net decrease/increase
33 in cost. This rule is not expected to either have a substantial economic impact or increase local and state
34 funds. A fiscal note has not been prepared.

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1 **6. Request by Ryan Miller representing the NC Building Performance Association to amend the 2018**
2 **NC Energy Conservation Code, Section R406.2 as follows:**

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4 N1106.2 (R406.2) Mandatory requirements. Compliance with this section requires that the provisions
5 identified in Sections R401 through R404 labeled as “mandatory” be met. The building thermal envelope
6 shall be greater than or equal to levels of efficiency and Solar Heat Gain Coefficient in Table 402.1.1 or
7 Table 402.1.3 of the 2012 North Carolina Energy Conservation Code. Minimum standards associated with
8 compliance shall be the ANSI/RESNET/ICC 301 – 2014 Standard (Including Addenda A and B) for the
9 Calculation and Labeling of the Energy Performance of Low-Rise Residential Buildings using an Energy
10 Rating Index. A North Carolina registered design professional or certified HERS rater is required to
11 perform the analysis if required by North Carolina licensure laws.

12
13 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
14 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

15 **Reason Given** – The purpose of this amendment is to provide a reference to a readily available ERI
16 calculation method.

17 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with no net decrease/increase
18 in cost. This rule is not expected to either have a substantial economic impact or increase local and state
19 funds. A fiscal note has not been prepared.

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22 **7. Request by Ryan Miller representing the NC Building Performance Association to amend the 2018**
23 **NC Residential Code, Section N1106.7.1 (R406.7.1) Minimum Capabilities as follows:**

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25 N1106.7.1 (R406.7.1) Minimum capabilities. Calculation procedures used to comply with this section shall
26 be software tools capable of calculating the ERI as described in Section N1106.3 and shall be in
27 compliance with ANSI/RESNET/ICC 301 (Including Addenda A and B), and the software shall include the
28 following capabilities:

29 1. Computer generation...

30
31 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
32 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

33 **Reason Given** – The purpose of this amendment is to provide a reference to a readily available ERI
34 calculation method.

35 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with no net decrease/increase
36 in cost. This rule is not expected to either have a substantial economic impact or increase local and state
37 funds. A fiscal note has not been prepared.

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8. Request by Ryan Miller representing the NC Building Performance Association to amend the 2018 NC Energy Conservation Code, Section R406.6.1 Compliance Software Tools as follows:

R406.6.1 Compliance software tools. Compliance software tools for this section shall be in compliance with the ANSI/RESNET/ICC 301-2014 (Including Addenda A & B).

Motion/Second/Approved – The request was granted. The proposed effective date of this rule is June 1, 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

Reason Given – The purpose of this amendment is to provide a reference to a readily available ERI calculation method.

Fiscal Statement – This rule is anticipated to provide equivalent compliance with no net decrease/increase in cost. This rule is not expected to either have a substantial economic impact or increase local and state funds. A fiscal note has not been prepared.

9. Request by Ryan Miller representing the NC Building Performance Association to amend the 2018 NC Energy Conservation Code, Section R406.7.1 Minimum Capabilities as follows:

N1106.7.1 (R406.7.1) Minimum capabilities. Calculation procedures used to comply with this section shall be software tools capable of calculating the ERI as described in Section N1106.3 and shall be in compliance with ANSI/RESNET/ICC 301 (Including Addenda A and B), and the software shall include the following capabilities:

- 1. Computer generation...

Motion/Second/Approved – The request was granted. The proposed effective date of this rule is June 1, 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

Reason Given – The purpose of this amendment is to provide a reference to a readily available ERI calculation method.

Fiscal Statement – This rule is anticipated to provide equivalent compliance with no net decrease/increase in cost. This rule is not expected to either have a substantial economic impact or increase local and state funds. A fiscal note has not been prepared.

1 **10. Request by Ryan Miller representing the NC Building Performance Association to amend the**
2 **2018 NC Residential Code, Section Part IX Referenced Standards / ICC as follows:**

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4 ANSI/RESNET/ICC 301-14 (Including Addenda A & B) Standard for the Calculation and Labeling of the
5 Energy Performance of Low-Rise Residential Buildings using an Energy Rating IndexN1106.2,
6 N1106.6.1, N1106.7.1

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8 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
9 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

10 **Reason Given** – The purpose of this amendment is to provide a reference to a readily available ERI
11 calculation method.

12 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with no net decrease/increase
13 in cost. This rule is not expected to either have a substantial economic impact or increase local and state
14 funds. A fiscal note has not been prepared.

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17 **11. Request by Ryan Miller representing the NC Building Performance Association to amend the**
18 **2018 NC Energy Conservation Code, Section NC Residential Provisions, Chapter 6 Referenced**
19 **Standards, ICC as follows:**

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21 ANSI/RESNET/ICC 301-14 (Including Addenda A & B) Standard for the Calculation and Labeling of the
22 Energy Performance of Low-Rise Residential Buildings using an Energy Rating Index.....R406.2,
23 R406.6.1, R406.7.1

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25 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
26 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

27 **Reason Given** – The purpose of this amendment is to provide a reference to a readily available ERI
28 calculation method.

29 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with no net decrease/increase
30 in cost. This rule is not expected to either have a substantial economic impact or increase local and state
31 funds. A fiscal note has not been prepared.

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1 **12. Request by Barry Siegal representing BSC Holdings, Inc. to amend the 2018 NC Building Code,**
2 **Section 903.2.8 and Table 602 and 2018 NC Fire Prevention Code, Section 903.2.8 as follows:**

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4 **903.2.8 Group R.** An *automatic sprinkler system* installed in accordance with Section 903.3 shall be
5 provided throughout all buildings with a Group R *fire area*.

6
7 **Exceptions:**

8
9 1. An *automatic sprinkler system* is not required in new adult and child day care facilities located in
10 existing Group R-3 and R-4 occupancies.

11
12 2. *temporary overflow shelters*.

13
14 3. An *automatic sprinkler system* is not required in camping units located within a campground where all of
15 the following conditions exist.

16 3.1. The camping unit is limited to one story in height,

17 3.2. The camping unit is less than 400 square feet (37 m₂) in area.

18 3.3. The camping unit does not have a kitchen.

19
20 4. An automatic sprinkler system is not required in an *Open Air Camp Cabin* that complies with the
21 following:

22
23 4.1. The open air camp cabin shall have at least two remote unimpeded exits. Lighted exit signs shall not be
24 required.

25 4.2. The open air camp cabin shall have at least two remote unimpeded exits. Lighted exit signs shall not be
26 required.

27 4.3. Smoke detectors and portable fire extinguishers shall be installed as required by other sections of this
28 Code.

29
30 5. An *automatic sprinkler system* is not required in Group R-3 detached on-and two-family *dwelling*s and
31 *townhouses* not more than three stories above grade plane in height with a separate *means of egress*.

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NC BUILDING CODE

**TABLE 602
FIRE-RESISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS BASED ON FIRE
SEPARATION DISTANCE^{a, d, g}**

FIRE SEPARATION DISTANCE = X (feet)	TYPE OF CONSTRUCTION	OCCUPANCY GROUP H ^e	OCCUPANCY GROUP F-1, M, S-1 ^f	OCCUPANCY GROUP A, B, E, F-2, I, R ^b , S-2, U
$X < 5^b$	All	3	2	1
$5 \leq X < 10$	IA Others	3 2	2 1	1 1
$10 \leq X < 30$	IA, IB IIB, VB Others	2 1 1	1 0 1	^c 1 0 ^c 1
$X \geq 30$	All	0	0	0

For SI: 1 foot = 304.8 mm.

- a. Load-bearing exterior walls shall also comply with the fire-resistance rating requirements of Table 601.
- b. See Section 706.1.1 for party walls.
- c. Open parking garages complying with Section 406 shall not be required to have a fire-resistance rating.
- d. The fire-resistance rating of an exterior wall is determined based upon the fire separation distance of the exterior wall and the story in which the wall is located.
- e. For special requirements for Group H occupancies, see Section 415.6.
- f. For special requirements for Group S aircraft hangars, see Section 412.4.1.
- g. Where Table 705.8 permits nonbearing exterior walls with unlimited area of unprotected openings, the required fire-resistance rating for the exterior walls is 0 hours.
- h. For Group R-3 detached one- and two-family dwellings and townhouses of any construction type and not more than three stories above grade plane in height with a separate means of egress a fire separation distance of 3 feet or less shall be 1-hour fire-resistant rated and shall be 0-hour fire-resistant rated for distances greater than 3 feet.

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Motion/Second/Approved – The request was granted. The proposed effective date of this rule is June 1, 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

Reason Given – This purpose of this amendment is to eliminate the R-3 sprinkler requirement and reduce the physical separation to match the Residential Code.

Fiscal Statement – This rule is anticipated to provide equivalent compliance with minor decrease in cost. This rule is not expected to either have a substantial economic impact or increase local and state funds. A fiscal note has not been prepared.

1 **13. Request by Colin Triming representing the NC Fire Code Revision Committee to amend the 2018**
2 **NC Existing Building Code, Sections 403.11, 804.4.3, 1104.2 as follows:**

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4 **403.11 Carbon Monoxide alarms.** Individual sleeping units and individual dwelling units in Group R and
5 I occupancies and classrooms in Group E occupancies and Group A-2 occupancies that contain a fuel-
6 burning appliance or a fuel-burning fireplace shall be provided with carbon monoxide alarms in accordance
7 with Section 915 of the North Carolina Building Code, except that the carbon monoxide alarms shall be
8 allowed to be solely battery operated.

9
10 **804.4.3 Carbon Monoxide alarms.** Individual sleeping units and individual dwelling units in Group R and
11 I occupancies and classrooms in Group E occupancies and Group A-2 occupancies that contain a fuel-
12 burning appliance or a fuel burning fireplace shall be provided with carbon monoxide alarms in accordance
13 with Section 915 of the North Carolina Building Code, except that the carbon monoxide alarms shall be
14 allowed to be solely battery operated.

15
16 **1104.2 Carbon Monoxide alarms in existing portions of a building.** Where an *addition* is made to a
17 building or structure of a Group A-2, I-1, I-2, I-4 or R occupancies, or classrooms are added in Group E
18 occupancies, the *existing building* shall be provided with carbon monoxide alarms in accordance with
19 Section 915 of the *North Carolina Building Code* or Section R315 of the *North Carolina Residential Code*,
20 except the carbon monoxide alarms shall be allowed to be solely battery operated.

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22 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
23 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

24 **Reason Given** – The purpose of this amendment is to respond to several recent Carbon Monoxide
25 exposures in A-2 occupancies.

26 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with no net decrease/increase
27 in cost. This rule is not expected to either have a substantial economic impact or increase local and state
28 funds. A fiscal note has not been prepared.

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31 **14. Request by Carl Martin representing the NC Department of Insurance to amend the 2018 NC**
32 **Building Code, Sections 312.1 & H109.2 as follows:**

33
34 **312.1 General**

35 Buildings and structures of an accessory character and miscellaneous structures not classified in any
36 specific occupancy shall be constructed, equipped and maintained to conform to the requirements of this

1 code commensurate with the fire and life hazard incidental to their occupancy. Group U shall include, but
2 not be limited to, the following:

- 3
- 4 Agricultural buildings
- 5 Aircraft hangars, accessory to a one- or two-family residence (see Section 412.5)
- 6 Barns
- 7 Carports
- 8 Fences and ground signs more than 6 feet (1829 mm) in height
- 9 Grain silos, accessory to a residential occupancy
- 10 Greenhouses
- 11 Livestock shelters
- 12 *Photovoltaic panel system* (mounted at grade)
- 13 Private garages
- 14 Retaining walls
- 15 Sheds
- 16 Stables
- 17 Tanks
- 18 Towers

19

20 **SECTION H101 GENERAL**

21 **H101.2 Signs exempt from permits.**

22 The following signs are exempt from the requirements to obtain a *permit* before erection:

- 23 1. Nonilluminated wall signs.
- 24 2. Temporary signs.
- 25 3. Signs erected by transportation authorities.
- 26 4. Projecting signs not exceeding 6 square feet (0.56 m²).
- 27 5. The changing of moveable parts of an approved sign that is designed for such changes, or the repainting
28 or repositioning of display matter shall not be deemed an alteration.
- 29 6. Ground signs less than 6 feet (1829 mm) in height above finished grade.

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31 **SECTION H109 GROUND SIGNS**

32 **H109.2 Required Clearance.** The bottom coping of every ground sign shall be not less than 3 feet (914
33 mm) above the ground or street level, which space can be filled with platform decorative trim or light
34 wooden construction.

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36 **Exception:** Signs that have a solid base of masonry, steel or similar material, commonly known as
37 monument signs.

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Motion/Second/Approved – The request was granted. The proposed effective date of this rule is June 1, 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

Reason Given – This purpose of this amendment is to eliminate the ground clearance requirement for monument signs and to exempt all ground signs less than 6-feet in height.

Fiscal Statement – This rule is anticipated to provide equivalent compliance with no net decrease/increase in cost. This rule is not expected to either have a substantial economic impact or increase local and state funds. A fiscal note has not been prepared.

15. Request by the NC Building Code Council representing the NC General Assembly to amend the 2018 NC Energy Conservation Code, Section R101.2 as follows:

R101.2 Scope.

This code applies to *residential buildings* and the buildings sites and associated systems and equipment.

Exception:

1. In accordance with N.C.G.S. 143-138 (b19), no energy conservation code provisions shall apply to detached and attached garages located on the same lot as a dwelling.

Motion/Second/Approved – The request was granted. The proposed effective date of this rule is June 1, 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

Reason Given – This purpose of this amendment is to provide an exception to energy conservation code requirements for garages as directed by SL 2018-65.

Fiscal Statement – This rule is anticipated to provide equivalent compliance with minor decrease in cost. This rule is not expected to either have a substantial economic impact or increase local and state funds. A fiscal note has not been prepared.

16. Request by the NC Building Code Council representing the NC General Assembly to amend the 2018 NC Residential Code, Section N1101.1 as follows:

N1101.1 Scope.

This chapter regulates the energy efficiency for the design and construction of buildings regulated by this code.

Exception:

1. In accordance with N.C.G.S. 143-138 (b19), no energy conservation code provisions shall apply to detached and attached garages located on the same lot as a dwelling.

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Motion/Second/Approved – The request was granted. The proposed effective date of this rule is June 1, 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

Reason Given – This purpose of this amendment is to provide an exception to energy conservation code requirements for garages as directed by SL 2018-65.

Fiscal Statement – This rule is anticipated to provide equivalent compliance with minor decrease in cost. This rule is not expected to either have a substantial economic impact or increase local and state funds. A fiscal note has not been prepared.

17. Request by the NC Building Code Council representing the NC General Assembly to amend the 2018 Existing Building Code, Section 101.12 as follows:

101.12 Energy conservation exceptions.

The following exceptions apply to energy conservation code provisions in existing buildings in accordance with NC General Statutes:

1. In accordance with N.C.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.

2. In accordance with the N.C.G.S. 143-138 (b19), for residential buildings, no energy conservation code provisions shall apply to detached and attached garages located on the same lot as a dwelling.

Motion/Second/Approved – The request was granted. The proposed effective date of this rule is June 1, 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

Reason Given – This purpose of this amendment is to provide an exception to energy conservation code requirements for garages as directed by SL 2018-65.

Fiscal Statement – This rule is anticipated to provide equivalent compliance with minor decrease in cost. This rule is not expected to either have a substantial economic impact or increase local and state funds. A fiscal note has not been prepared.

1 **18. Request by Daniel Priest representing Priest Architecture, PLLC to amend the 2018 NC State**
 2 **Building Code, Table 2902.1 and the 2018 NC State Plumbing Code, Table 403.1 as follows:**

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2	Business (See Sections 2902.2, 2902.3, and 2902.3.2.2)	B Buildings for the transaction of business, professional services, other services involving merchandise, office buildings, banks, light industrial and similar uses	1 per 25 for the first 50 and 1 per 50 for the remainder exceeding 50	1 per 40 for the first 80 and 1 per 80 for the remainder exceeding 80	—	1 per 100 ^a	1 service ° sink
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5 q. For business occupant loads of 25 or fewer, drinking fountains shall not be required.

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7 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
 8 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

9 **Reason Given** – This purpose of this amendment is to provide a drinking fountain exception for small
 10 Business Occupancy.

11 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with minor decrease in cost.
 12 This rule is not expected to either have a substantial economic impact or increase local and state funds. A
 13 fiscal note has not been prepared.

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16 **19. Request by Daniel Priest representing Priest Architecture, PLLC to amend the 2018 NC State**
 17 **Plumbing Code, Section 410.2 as follows:**

18

19 **410.2 Small occupancies.** Drinking fountains shall not be required for an occupant load of 15 or fewer.

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21 **Motion/Second/Approved** – The request was granted. The proposed effective date of this rule is June 1,
 22 2019 (earliest through RRC), unless the BCC assigns a delayed effective date (January 1, 2020).

23 **Reason Given** – This purpose of this amendment is to provide a drinking fountain exception for small
 24 Business Occupancy.

25 **Fiscal Statement** – This rule is anticipated to provide equivalent compliance with minor decrease in cost.
 26 This rule is not expected to either have a substantial economic impact or increase local and state funds. A
 27 fiscal note has not been prepared.

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2 **NOTICE:**

3 **Appeals and Interpretations** of the North Carolina State Building Codes are published online at the
4 following link.

5 [http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=Code_Interpretations&user=C
6 ode_Enforcement_Resources](http://www.ncdoi.com/OSFM/Engineering_and_Codes/Default.aspx?field1=Code_Interpretations&user=Code_Enforcement_Resources)

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9 **NOTICE:**

10 **Objections and Legislative Review** requests may be made to the NC Office of Administrative Hearings in
11 accordance with G.S. 150B-21.3(b2) after Rules are adopted by the Building Code Council.

12 <http://www.ncoah.com/rules/>

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