

CHAPTER 1

ADMINISTRATION

SECTION 101 GENERAL

101.1 Title. These regulations shall be known as the North Carolina Building Code as approved by the North Carolina Building Code Council on September 13, 2005, to be effective July 1, 2006. References to the *International Codes* shall mean the North Carolina Codes. References to ICC A117.1 shall mean the North Carolina Accessibility Code. The North Carolina amendments to the *International Codes* are underlined.

101.2 Scope. The provisions of this code shall apply to the construction, alteration, movement, enlargement, replacement, repair, equipment, use and occupancy, location, maintenance, removal and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures.

Exceptions:

1. Detached one- and two-family dwellings and multiple single-family dwellings (town houses) not more than three stories above grade plane in height with a separate means of egress and their accessory structures shall comply with the *International Residential Code*.
2. Existing buildings undergoing repair, alterations or additions and change of occupancy shall be permitted to comply with the *International Existing Building Code*.
3. Farm buildings located outside the building rules jurisdiction of any municipality.

Exception: All buildings used for sleeping purposes shall conform to the provisions of the technical codes.

4. The design, construction, location, installation or operation of equipment for storing, handling and transporting liquefied petroleum gases for fuel purposes up to the outlet of the first stage pressure regulator, and anhydrous ammonia or other liquid fertilizers.
5. The design, construction, location, installation or operation of equipment or facilities of a public utility, as defined in G.S. 62-3, or an electric or telephone membership corporation, including without limitation poles, towers and other structures supporting electric or communication lines from the distribution network up to the meter location.

NOTE: All buildings owned and operated by a public utility or an electric or telephone membership corporation shall meet the provisions of the code.

6. The Storage and Handling of Hazardous Chemicals Right to Know Act, Article 18 of Chapter 95 of the North Carolina General Statutes.

101.2.1 Appendices. Provisions in the appendices shall not apply unless specifically adopted or referenced in this code.

101.3 Intent. The purpose of this code is to establish the minimum requirements to safeguard the public health, safety and general welfare through structural strength, means of egress facilities, stability, sanitation, adequate light and ventilation, energy conservation, and safety to life and property from fire and other hazards attributed to the built environment and to provide safety to fire fighters and emergency responders during emergency operations.

101.4 Referenced codes. The other codes listed in Sections 101.4.1 through 101.4.7 and referenced elsewhere in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference.

101.4.1 Electrical. The provisions of the *North Carolina Electrical Code* shall apply to the installation of electrical systems, including alterations, repairs, replacement, equipment, appliances, fixtures, fittings and appurtenances thereto.

101.4.2 Gas. The provisions of the *International Fuel Gas Code* shall apply to the installation of gas piping from the point of delivery, gas appliances and related accessories as covered in this code. These requirements apply to gas piping systems extending from the point of delivery to the inlet connections of appliances and the installation and operation of residential and commercial gas appliances and related accessories.

101.4.3 Mechanical. The provisions of the *International Mechanical Code* shall apply to the installation, alterations, repairs and replacement of mechanical systems, including equipment, appliances, fixtures, fittings and/or appurtenances, including ventilating, heating, cooling, air-conditioning and refrigeration systems, incinerators and other energy-related systems.

101.4.4 Plumbing. The provisions of the *International Plumbing Code* shall apply to the installation, alteration, repair and replacement of plumbing systems, including equipment, appliances, fixtures, fittings and appurtenances, and where connected to a water or sewage system and all aspects of a medical gas system. The provisions of the *International Private Sewage Disposal Code* shall apply to private sewage disposal systems.

101.4.5 Property maintenance. Deleted.

101.4.6 Fire prevention. The provisions of the *International Fire Code* shall apply to matters affecting or relating to structures, processes and premises from the hazard of fire and explosion arising from the storage, handling or use of structures, materials or devices; from conditions hazardous

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to life, property or public welfare in the occupancy of structures or premises; and from the construction, extension, repair, alteration or removal of fire suppression and alarm systems or fire hazards in the structure or on the premises from occupancy or operation.

101.4.7 Energy. The provisions of the *International Energy Conservation Code* shall apply to all matters governing the design and construction of buildings for energy efficiency.

101.4.8 Accessibility. The provisions of the North Carolina Accessibility Code shall apply to the construction, alteration, repair, replacement, equipment, appliances, fixtures and fittings in all buildings and facilities.

101.5 Requirements of other State agencies, occupational licensing boards or commissions. The North Carolina State Building Codes do not include all additional requirements for buildings and structures that may be imposed by other State agencies, occupational licensing boards and commissions. It shall be the responsibility of a permit holder, design professional, contractor or occupational license holder to determine whether any additional requirements exist.

SECTION 102 APPLICABILITY

102.1 General. Where, in any specific case, different sections of this code specify different materials, methods of construction or other requirements, the most restrictive shall govern. Where there is a conflict between a general requirement and a specific requirement, the specific requirement shall be applicable.

102.2 Other laws. The provisions of this code shall not be deemed to nullify any provisions of local, state or federal law.

102.3 Application of references. References to chapter or section numbers, or to provisions not specifically identified by number, shall be construed to refer to such chapter, section or provision of this code.

102.4 Referenced codes and standards. The codes and standards referenced in this code shall be considered part of the requirements of this code to the prescribed extent of each such reference. Where differences occur between provisions of this code and referenced codes and standards, the provisions of this code shall apply.

102.5 Partial invalidity. In the event that any part or provision of this code is held to be illegal or void, this shall not have the effect of making void or illegal any of the other parts or provisions.

102.6 Existing structures. The legal occupancy of any structure existing on the date of adoption of this code shall be permitted to continue without change, except as is specifically covered in this code, the *International Property Maintenance Code* or the *International Fire Code*, or as is deemed necessary by the building official for the general safety and welfare of the occupants and the public.

SECTION 103 DEPARTMENT OF BUILDING SAFETY

Deleted. See the North Carolina Administrative Code and Policies.

SECTION 104 DUTIES AND POWERS OF BUILDING OFFICIAL

Sections 104.1 through 104.9 deleted. See the North Carolina Administrative Code and Policies.

104.10 Modifications. Wherever there are practical difficulties involved in carrying out the provisions of this code, the building official shall have the authority to grant modifications for individual cases, upon application of the owner or owner's representative, provided the building official shall first find that special individual reason makes the strict letter of this code impractical and the modification is in compliance with the intent and purpose of this code and that such modification does not lessen health, accessibility, life and fire safety, or structural requirements. The details of action granting modifications shall be recorded and entered in the files of the department of building safety.

104.11 Alternative materials, design and methods of construction and equipment. The provisions of this code are not intended to prevent the installation of any material or to prohibit any design or method of construction not specifically prescribed by this code, provided that any such alternative has been approved. An alternative material, design or method of construction shall be approved where the building official finds that the proposed design is satisfactory and complies with the intent of the provisions of this code, and that the material, method or work offered is, for the purpose intended, at least the equivalent of that prescribed in this code in quality, strength, effectiveness, fire resistance, durability and safety.

104.11.1 Research reports. Supporting data, where necessary to assist in the approval of materials or assemblies not specifically provided for in this code, shall consist of valid research reports from approved sources.

104.11.2 Tests. Whenever there is insufficient evidence of compliance with the provisions of this code, or evidence that a material or method does not conform to the requirements of this code, or in order to substantiate claims for alternative materials or methods, the building official shall have the authority to require tests as evidence of compliance to be made at no expense to the jurisdiction. Test methods shall be as specified in this code or by other recognized test standards. In the absence of recognized and accepted test methods, the building official shall approve the testing procedures. Tests shall be performed by an approved agency. Reports of such tests shall be retained by the building official for the period required for retention of public records.

SECTION 105 PERMITS

Deleted. See the North Carolina Administrative Code and Policies.

**SECTION 106
CONSTRUCTION DOCUMENTS**

Deleted. See the North Carolina Administrative Code and Policies.

**SECTION 107
TEMPORARY STRUCTURES AND USES**

Deleted. See the North Carolina Administrative Code and Policies.

**SECTION 108
FEES**

Deleted. See the North Carolina Administrative Code and Policies.

**SECTION 109
INSPECTIONS**

Deleted. See the North Carolina Administrative Code and Policies.

**SECTION 110
CERTIFICATE OF OCCUPANCY**

Deleted. See the North Carolina Administrative Code and Policies.

**SECTION 111
SERVICE UTILITIES**

Deleted. See the North Carolina Administrative Code and Policies.

**SECTION 112
BOARD OF APPEALS**

Deleted. See the North Carolina Administrative Code and Policies.

**SECTION 113
VIOLATIONS**

Deleted. See the North Carolina Administrative Code and Policies.

**SECTION 114
STOP WORK ORDER**

Deleted. See the North Carolina Administrative Code and Policies.

**SECTION 115
UNSAFE STRUCTURES AND EQUIPMENT**

Deleted. See the North Carolina Administrative Code and Policies.

