



Certified Recommendation

Raleigh Planning Commission

CR# 11433

Case Information: TC-11-11 / State Building Code

Comprehensive Plan Guidance

<i>Applicable Policy Statements</i>	Not applicable
<i>Action Items</i>	Not applicable

Summary of Text Change

<i>Summary</i>	Proposes to amend Part 10 Chapter 6 of the City Code to be consistent with recent changes made to the North Carolina Technical Building Codes. The new 2012 Codes have a mandatory effective date of March 1, 2012.
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Summary of Impacts

<i>Impacts Identified</i>	<p><u>Adoption of TC-11-11:</u></p> <ul style="list-style-type: none"> Compliance with 2012 Building Code. <p><u>No Action:</u></p> <ul style="list-style-type: none"> Out of compliance with 2012 State Building Code as of March 1, 2012.
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Public Meetings

<i>Public Hearing</i>	<i>Committee</i>		<i>Planning Commission</i>	
10/18/11			10/25/11	

Attachments

1. Staff report
2. Summary
3. Ordinance



Zoning Staff Report – TC-11-11

State Building Code

Request

<i>Section Reference</i>	Part 10 Chapter 6
<i>Basic Information</i>	Proposes to amend Part 10 Chapter 6 of the City Code to be consistent with recent changes made to the North Carolina Technical Building Codes. The new 2012 Codes have a mandatory effective date of March 1, 2012.
<i>PC Recommendation Deadline</i>	February 1, 2012

Comprehensive Plan Guidance

<i>Applicable Policies</i>	Not applicable
<i>Action Items</i>	Not applicable

Contact Information

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History/Overview

This text change was initiated by the Planning Department to comply with recently adopted amendments to the NC State Technical Building Codes.

Purpose and Need

Compliance with State Law.

Alternatives Considered

No alternative other than the No Action approach was considered.

Scoping of Impacts

The adverse impacts of taking no action (retaining the existing regulations) have been identified as follows:

- Out of compliance with State Law as of March 1, 2012.

TC-11-11 North Carolina Building Code

Proposes to amend Part 10 Chapter 6 of the City Code to be consistent with recent changes made to the North Carolina Technical Building Codes. The new 2012 Codes have a mandatory effective date of March 1, 2012.

10/06/11

**ORDINANCE NO. (2011) 964 TC 350
TC-11-11**

**AN ORDINANCE TO AMEND THE CITY CODE TO BE
CONSISTENT WITH RECENT CHANGES MADE TO
THE NORTH CAROLINA TECHNICAL BUILDING CODES**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF RALEIGH, NORTH
CAROLINA that:**

Section 1. Raleigh City Code Section 10-6003 is hereby repealed in its entirety, rewritten and re-enacted to read as follows:

Sec. 10-6003.

BUILDING CODES ADOPTED.

- (a) The ~~2006~~ current editions including all subsequent amendments of the **North Carolina State Building Code**, as adopted by the North Carolina Building Code Council is hereby adopted by reference as fully as though set forth herein to the extent such code is applicable for safe and stable design, methods of construction, minimum standards, and use of materials in building or structures hereinafter erected, enlarged, altered, repaired, or otherwise constructed or reconstructed.

~~In addition, Appendix D—Fire Districts, of the **North Carolina Building Code** is hereby adopted by reference as fully as though set forth herein and shall be enforced as part of *this Code*.~~

- (b) The ~~2006~~ current edition, including all subsequent amendments of the **North Carolina Administrative and Enforcement Requirements Code and Policies** as adopted by the North Carolina State Building Code Council is hereby adopted by referenced as though fully set forth herein.

- (c) **Reserved for future use.**

~~The 1999 edition including all subsequent amendments of Volume I—C, "Making Buildings and Facilities Accessible to and Usable by Persons with Disabilities," the Accessibility Code, as adopted by the North Carolina Building Code Council, is hereby adopted by reference as fully as though set forth herein.~~

- (d) The 2004 edition including all subsequent amendments of "State of North Carolina Regulations for Manufactured/~~Mobile~~ Homes" as adopted by the North Carolina Commissioner of Insurance is hereby adopted by reference as fully as though set forth herein.
- (e) The ~~2006~~ current edition including all subsequent amendments of **North Carolina Fire Prevention Code**, as adopted by the North Carolina State Building Code Council, is hereby adopted by reference as fully as though set forth herein.
- (f) ~~The June 1972 edition including all subsequent amendments of "Floodproofing Regulations"~~ The current edition of **Non-Residential Floodproofing - Requirements and Certification for Buildings Located in Special Flood Hazard Areas in accordance with the National Flood Insurance Program** as prepared and published by ~~the office of the Chief of engineers, U.S. Army, Washington, D.C.~~ FEMA is hereby adopted by reference as fully as though set forth herein to the extent said regulations are applicable for safe and stable design, methods of construction, minimum standards, and use of materials in buildings or structures hereafter erected, enlarged, altered, repaired, or otherwise constructed or reconstructed in flood hazard areas.
- (g) The 1995 edition including all subsequent amendments of the **North Carolina State Building Code, Volume IX, Existing Buildings**, as adopted by the North Carolina Building Code Council is hereby adopted by reference as fully as though set forth herein.
- (h) The ~~2006~~ current edition including all subsequent amendments of **North Carolina Energy Conservation Code**, as adopted by the North Carolina Building Code Council is hereby adopted by reference as fully as though set forth herein.

State law reference: Adoption of technical codes by reference,
G.S. 160A-76(b)

Section 2. Amend Raleigh City Code Sections 10-6004 and 10-6005, the Plumbing and Mechanical Codes, to replace the year "2006" with the word "current."

Section 3. Amend Raleigh City Code Section 10-6007, the Residential Building Code, to replace the year "2002" with the word "current."

Section 4. Amend Raleigh City Code Section 10-6009, the Fuel Gas Code, to replace the year "2006" with the word "current."

Section 5. All laws and clauses of laws in conflict herewith are hereby repealed to the extent of said conflict.

Section 6. If this ordinance or application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given separate effect and to the end the provisions of this ordinance are declared to be severable.

Section 7. This ordinance has been adopted following a duly advertised joint public hearing of the Raleigh City Council and the City Planning Commission following a recommendation of the Planning Commission.

Section 8. This ordinance shall be enforced by law as provided in N.C.G.S. 143-139 or as provided in the Raleigh City Code. All criminal sanctions shall be the maximum allowed by law notwithstanding the fifty dollar limit in G.S. 14-4(a) or similar limitations.

Section 9. This ordinance shall become effective five days following its adoption.

ADOPTED: November 1, 2011
EFFECTIVE: November 6, 2011

DISTRIBUTION: Planning – Silver, Hallam, Willis, Brandon
City Attorney – Hargrove
Transcription Svcs – Taylor