



North Carolina

ISSUE BRIEF: Opposition to HB 488 – Omnibus Building Code Changes

The Proposal:

- HB 488 would effectuate many changes to current building code items as well as bifurcate the Building Code Council into two separate regulatory bodies.
- The bill has 13 separate provisions, many of which would diminish life safety elements of the Building Code.
- All the provisions AIA North Carolina opposes are outlined below. Bolded provisions are priority issues.

The Issues:

SECTION 1 A separate Residential Code Council independent of the Building Code Council

Currently the requirements for residential construction in our state are some of the lowest in the nation. As evidenced in many of the other provisions in this bill, the intention of the home building industry is to continue the trend to make health, life safety and energy standards even lower. Having a separate code council only for residential construction is an attempt to completely control the regulatory decision making and authorization processes. The proposal will lead to endless roll back of health and safety code provisions and a stagnation of building technology in the residential market.

SECTION 2 Moves requirement of a GC from \$30K to \$40K for residential & commercial

This would conflict with the statute that requires a General Contractor for any work over \$30,000.

SECTION 3 Prohibits standards for private roads more stringent than NCDOT standards

Cities are often faced with developers putting in roads that don't meet their standards for public service like garbage collection and fire service. Residents in these communities often come to cities seeking services after the developer has left the project only to be left holding the bag.

SECTION 4 Eliminates any requirement for sheathing inspections

Sheathing, especially in stick built residential construction, accounts for a good amount of shear wall structural stability in a home. It seems shortsighted and risky

to prohibit this type of inspection. Our storm prone coastal areas particularly need these inspections. Proponents claim there is no actual building code requirement for a sheathing inspection. However, there is a building framing inspection requirement. If that needs to be redefined to include sheathing then that's what should be done, but to prohibit inspection of such an integral part of a life-safety system is just dangerous.

SECTION 5 Eliminates Appendix B

Appendix B is a unique North Carolina Building Code addition. From the standpoint of commercial design and construction the design industry supports keeping it in place. Appendix B allows a designer to highlight for code enforcement officials all the life-safety elements of a project on one page. It acts as a quick reference tool in the review process and streamlines the approval process for a project.

SECTION 6 Amend insulation requirements for unvented attics

Our initial analysis of this provision seems to indicate that it would allow for the cutting of R values in half for this type of attic assembly. This will diminish the energy efficiency of a home.

SECTION 7 Suspends the adoption of the Residential Code, Parts V – Mechanical and Part VI – Fuel Gas

See discussion on Section 8.

SECTION 8 Suspends the adoption of the Energy Code

This state is already way behind on adopting current energy efficiency standards. We stand to lose millions of dollars in FEMA grants because of our 6-year code adoption cycle. We will also be in a position where mechanical equipment currently allowed under our state codes will be obsolete because manufacturers are not allowed to make them under newer additions of the ICC codes. The Building Code Council has spent the last 2 years bringing the full suite of codes up to date. We need to let the process of code adoption play out under the current rules. Opponents of the proposed new energy code will have an opportunity to object to the new rules in the rules review process, which will then allow the General Assembly to address the issue during the 2024 legislative session. We believe it's important to let the General Assembly actually see the rules along with input from all stakeholders, including AIA, during next year's session.

SECTION 9 Changes definition of single family residential from 1 & 2 to 3 & 4

By increasing the definition, you will now be lowering the fire rating between units from 2-hour to 1-hour. This is a dangerous and bad idea.