



APPENDIX C

# CODE CHANGE PROPOSAL NORTH CAROLINA BUILDING CODE COUNCIL

325 North Salisbury Street, Room 5\_44  
Raleigh, North Carolina 27603  
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Granted by BCC _____	Petition for Rule Making	Item Number _____
Denied by BCC _____	Adopted by BCC _____	Approved by RRC _____
	Disapproved by BCC _____	Objection by RRC _____

PROPOSER: Robert Privott PHONE: (919) 676 - 9090  
 REPRESENTING: North Carolina Home Builders Association  
 ADDRESS: PO Box 99090  
 CITY: Raleigh STATE: NC ZIP: 27624  
 E-MAIL: rprivott@nchba.org FAX: ( ) -

North Carolina State Building Code, Volume 2018 NC Residential Code - Section N1101.13 (R401.2)

**CHECK ONE:**  Revise section to read as follows:  Delete section and substitute the following:  
 Add new section to read as follows:  Delete section without substitution:

~~LINE THROUGH MATERIAL TO BE DELETED~~      UNDERLINE MATERIAL TO BE ADDED

Please type. Continue proposal or reason on plain paper attached to this form. See reverse side for instructions.

Attached

Will this proposal change the cost of construction? Decrease  Increase  No   
 Will this proposal increase to the cost of a dwelling by \$80 or more? Yes  No   
 Will this proposal affect the Local or State funds? Local  State  No   
 Will this proposal cause a substantial economic impact (≥\$1,000,000)? Yes  No

- Non-Substantial – Provide an economic analysis including benefit/cost estimates.
- Substantial – The economic analysis must also include 2-alternatives, time value of money and risk analysis.
- Pursuant to §143-138(a1)(2) a cost-benefit analysis is required for all proposed amendments to the NC Energy Conservation Code. The Building Code Council shall also require same for the NC Residential Code, Chapter 11.

**REASON:** The purpose of this amendment is to expand the options for compliance by allowing the use of the ANSI/RESNET/ICC 301 -2019 Standard for Calculation and Labeling of Energy Performance of Low-Rise Residential Buildings using an Energy Rating Index as a stand-alone compliance path.

BCC CODE CHANGES

Signature: Robert A. Privott Date: 5/26/20 FORM 11/26/19

## IRC Chapter 11

### N1101.13 (R401.2) Compliance

Projects shall comply with one of the following:

1. Sections N1101.14 through N1104.
2. Section N1105 and the provisions of Sections N1101.14 through N1104 labeled "Mandatory."
3. An energy rating index (ERI) approach in Section N1106.
4. North Carolina specific REScheck™ shall be permitted to demonstrate compliance with this code. Envelope requirements may not be traded off against the use of high efficiency heating or cooling equipment. No trade-off calculations are needed for required termite inspection and treatment gaps.

5. Rated in accordance with ANSI/RESNET/ICC 301-2019 Standard for the Calculation and Labeling of Energy Performance of Low-Rise Residential Buildings using an Energy Rating Index with a maximum energy rating index (ERI) less than or equal to the appropriate value indicated in one of the following tables as applicable, when compared to the ERI reference design:

**MAXIMUM ENERGY RATING INDEX**  
(without calculation of on-site renewable energy)

<u>CLIMATE ZONE</u>	<u>JAN. 1, 2019 – Dec. 31, 2022</u>	<u>JAN. 1, 2023 AND FORWARD</u>
<u>3</u>	<u>65</u>	<u>61</u>
<u>4</u>	<u>67</u>	<u>63</u>
<u>5</u>	<u>67</u>	<u>63</u>

**MAXIMUM ENERGY RATING INDEX**  
(including calculation of on-site renewable energy)

<u>CLIMATE ZONE</u>	<u>JAN. 1, 2019 – Dec. 31, 2022</u>	<u>JAN. 1, 2023 AND FORWARD</u>
<u>3</u>	<u>51</u>	<u>42</u>
<u>4</u>	<u>54</u>	<u>50</u>
<u>5</u>	<u>55</u>	<u>51</u>

## Cost Benefit Analysis

A detailed fiscal note and analysis was provided when The NC Building Code Council adopted the ERI path and thereby the ANSI/RESNET/ICC 301 Standard for the Calculation and Labeling of Energy Performance of Low-Rise Residential Buildings using an Energy Rating Index into the code. Both the 2018 NC Residential and Energy Conservation Code already permit 1 and 2 family dwellings to demonstrate compliance through the Energy Rating Index (ERI) path using ANSI/RESNET/ICC 301. The target ERI scores that have been proposed are consistent with those currently in place in NC. The same software that is currently being used when the ERI path is chosen can still be used when selecting this independent path of using ANSI/RESNET/ICC 301. Therefore, adopting the standard with the same prescribed ERI target numbers as a stand-alone compliance path, would not increase the cost of construction or implementation.

# INSTRUCTIONS

**Each proposed Code change request shall comply with the following policies:**

**Rule 1:** The Original and twenty-two (22) copies of the proposed Petition for Rule-Making along with supporting documentation shall be filed with the Building Code Council Secretary. Submit one (1) electronic copy via email.

**Rule 2:** The filing shall be received by the first day of the month prior to the quarterly scheduled meeting date. Example: A December meeting date will require filing by November 1 prior to the meeting.

**Rule 3:** Each request shall be typewritten on this form and shall contain the following:

- (1) The proposed rule change must be set forth in full and contain explicit reference to the affected section or sections of the Code.
- (2) The request shall state the reasons for the proposed rule change with supporting documentation.
- (3) The proposed rule change shall comply with the standards set forth in GS 143-138(c) and reference to the particular standards shall be set forth in the request for the amendment.
- (4) The proposed rule change shall contain an economic impact analysis as required by GS 143-138(a).
- (5) A proposed rule change to the NC Energy Conservation Code shall have an accompanying cost-benefit analysis as required by GS 143-138(a1)(2).

**Rule 4:** When a request is improperly filed or not in accordance with all the rules listed above, the BCC Secretary shall reject the submittal and notify the applicant of the proper procedure to follow.

**Rule 5:** Upon the proper filing of a request, the BCC Secretary shall forward one copy of said request to each council member prior to the scheduled meeting date. Persons filing proposed petitions are hereby notified of the place and time of the scheduled hearings. The BCC Secretary shall cause to be published the notice of public hearing as specified in GS 143-138(a).

**Rule 6:** The Council shall either Grant or Deny the proposed Petition for Rulemaking at the meeting following receipt of the proposed rule change. The Council will take no further action on items that are Denied. Granted items may be referred to Committee for review.

**Rule 7:** The Council will hold a public hearing on Granted items at the next quarterly scheduled meeting. The Council will take final action on Granted items at the next quarterly scheduled meeting after the public hearing.

## **Timeline Example**

<b>Petition received:</b>	<b>February 1</b>
<b>Petition Granted:</b>	<b>March BCC meeting</b>
<b>Notice of Hearing published:</b>	<b>April NC Register</b>
<b>Committee review:</b>	<b>May - June</b>
<b>Hearing held:</b>	<b>June BCC meeting</b>
<b>Final Adoption:</b>	<b>September BCC meeting</b>
<b>Rules Review Meeting:</b>	<b>November RRC meeting</b>
<b>Approved:</b>	<b>December 1</b>