



MECKLENBURG COUNTY
Land Use & Environmental Services Agency
Code Enforcement

Memo

To: Brad Krehely, Staff Attorney
Legislative Analysis Division

From: Patrick, G. Granson, CBO, MCP, LEED-AP
Director of Code Enforcement

Date: February 5th, 2020

Re: House Bill - 252

This memo is to follow up with the procedures set forth in House Bill 252 Section 4 (c) dealing with Joint Legislative reporting on the implementation of an informal review process required by G.S 153A-352 (f) and GS 160A-412 (f).

Mecklenburg County Code Enforcement (MCCE) established this process eight (8) years ago. We implemented a tier system approach having different levels of filters for all informal code interpretations based on complexity and peer reviews with inspectors and supervisors. Also, we added another component to connect with industry partners through monthly consistency meetings for Building, Electrical, Mechanical, and Plumbing trades. MCCE has made a strong commitment to bridge communication gaps between industry partners (Design Professionals, Architects, Engineers, and Contractors) through the development of outreach programs like seminars, presentations and town hall meetings. It is our intention to explain our code regulation processes and set best practice expectations for the success of each project.

MCCE's web site is dedicated to facilitating best practice and consistency throughout the industry between our partners. Please see the link below for further information.

<https://www.mecknc.gov/LUESA/CodeEnforcement/Links/Pages/Consistency.aspx>

MCCE's appeal process is mapped out very similar to HB252 General Statutes to include the added components mentioned above. These added components help us understand code compliance issues effecting each project. Please see the link below for further information.

<https://www.mecknc.gov/LUESA/CodeEnforcement/Tools/CodeInterpretations/Pages/Appeal%20Process.aspx>

An overview of the appeal process for both Plan Review and Inspections is as follows:

- Appeal will be made directly to the Code Enforcement Manager of the issue or discipline in question.
- Inspection appeals may only be submitted on the approved form with all relevant information provided.
- Appeals related to reinspection fee charges must be submitted within 10 working days of the inspection date. An appeal decision will be made within 10 working days of receiving the written appeal.

- Appeals on code interpretations not related to reinspection fee charges may be submitted at any time.
- Plan Review appeals will go first to the assigned Project Manager, who will engage the involved Code Administrator (CA), if the CA is not already part of the discussion. If the customer disagrees with the CA, the CA will issue a written interpretation which the customer may formally appeal, as described below in "Appeal beyond the related Code Administrator."
- Appeals will be submitted to the Code Administrator based on the trade.
- After the Department Code Administrator, the next level of appeal will go to the Department Director.
- After the Department Director, the next level of appeal will go to the Engineering Section of the Department of Insurance (DOI). This appeal must be received by DOI, within 10 days of receiving the Director's written response to the owner's second level of appeal.
- After the Engineering Section of the Department of Insurance, the next level of appeal will go to the Building Code Council's Hearing Committee. This appeal must be received within 30 days of the date of the decision by DOI.
- After the Building Code Council's Hearing Committee, the next level of appeal will go to the full Building Code Council. This appeal must be filed within 30 days of the BCC Hearing Committee's action.
- Decisions of the N. C. Building Code Council may be appealed to the Superior Court in either Wake County or the County in which the proposed building is located.

The second point as requested within HB252 is the number of events that occurred within the calendar year for 2018.

Mecklenburg County performed 315,595 inspections in Building, Electrical, Mechanical, and Plumbing. Out of those inspection for 2019 seven (7) appeals were received, requesting the inspector's field interpretation. Out of the seven (7) appeals, only four (4) were overturned based on alternate materials and methods. In summary; less than 1% total inspection volume requested to use the department's internal informal review process.

If you require further information regarding our documentation and process, please let me know.

We certainly appreciate your time on this matter.

Regards,



Patrick G. Granson, CBO, MCP, LEED-AP
Director of Code Enforcement