

1 10A NCAC 13G .0302 is proposed for readoption with substantive changes as follows:

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3 **10A NCAC 13G .0302 DESIGN AND CONSTRUCTION**

4 (a) ~~Any~~ A building licensed for the first time as a family care ~~home~~ home, or a licensed family care home relicensed
5 after the license is terminated for more than 60 days, shall meet the applicable requirements of the North Carolina
6 State Building Code. ~~All new construction, additions and renovations to existing buildings shall meet the requirements~~
7 ~~of the North Carolina State Building Code for One and Two Family Dwellings and Residential Care Facilities if~~
8 ~~applicable. All applicable volumes of The North Carolina State Building Codes, which is incorporated by reference,~~
9 ~~including all subsequent amendments, may be purchased from the Department of Insurance Engineering Division~~
10 ~~located at 322 Chapanoke Road, Suite 200, Raleigh, North Carolina 27603 at a cost of three hundred eighty dollars~~
11 ~~(\$380.00). Code: Residential Code, and Licensed Residential Care Facilities, if applicable, in effect at the time of~~
12 ~~licensure or relicensure. Applicable volumes of The North Carolina State Building Codes, which are hereby~~
13 ~~incorporated by reference, including all subsequent amendments and editions, may be purchased from the International~~
14 ~~Code Council online at <https://shop.iccsafe.org/> at a cost of eight hundred fifty-eight dollars (\$858.00) or accessed~~
15 ~~electronically free of charge at <https://codes.iccsafe.org/codes/north-carolina>.~~

16 (b) New construction, additions, alterations, modifications, and renovations to buildings shall meet the requirements
17 of the North Carolina State Building Code: Residential Code, and Licensed Residential Care Facilities, if applicable,
18 at the time of construction, alteration, modifications, and renovations.

19 ~~(b) Each home shall be planned, constructed, equipped and maintained to provide the services offered in the home.~~

20 ~~(c) A family care home shall not offer services for which the home was not planned, constructed, equipped, or~~
21 ~~maintained.~~

22 ~~(c)(d) Any existing~~ A building converted from another use to a family care home shall meet all the requirements of a
23 ~~new facility. Paragraph (a) of this Rule.~~

24 ~~(d) Any existing licensed home when the license is terminated for more than 60 days shall meet all requirements of a~~
25 ~~new home prior to being relicensed.~~

26 ~~(e) Any existing~~ A licensed home that plans to have new construction, remodeling or physical changes done to the
27 facility shall have drawings submitted by the owner or his appointed representative to the Division of Health Service
28 Regulation for review and approval prior to commencement of the work.

29 (f) If the building is two stories in height, it shall meet the following requirements:

30 (1) ~~Each~~ each floor shall be less than 2500 square feet in area if existing construction or, if new
31 construction, shall not exceed the allowable area for Group R-4 occupancy in the North Carolina
32 State Building Code; Codes;

33 (2) ~~Aged~~ aged or disabled persons are not to be housed on any floor above or below grade level;

34 (3) ~~Required~~ required resident facilities are not to be located on any floor above or below grade level;
35 and

36 (4) ~~A~~ a complete fire alarm ~~system with pull~~ system meeting the requirements of the National Fire
37 Protection Association 72, NFPA 72: National Fire Alarm and Signaling Code, which is hereby

1 incorporated by reference, including all subsequent amendments and editions. Copies of this code
 2 may be obtained from the National Fire Protection Association online at
 3 http://www.nfpa.org/catalog/ or accessed electronically free of charge at
 4 https://www.nfpa.org/codes-and-standards/all-codes-and-standards/list-of-codes-and-
 5 standards/detail?code=72. For the purpose of this Rule, a “complete fire alarm system” is a system
 6 that consists of components and circuits arranged to monitor and annunciate the status of fire alarm
 7 and supervisory signal-initiating devices and to initiate the appropriate response to those signals.
 8 Pull stations shall be installed on each floor at each exit, and sounding Sounding devices which that
 9 are audible throughout the building shall be provided, provided on each floor. The fire alarm system
 10 shall be able to transmit an automatic signal to the local emergency fire department dispatch center,
 11 either directly or through a central station monitoring company connection. center that is legally
 12 committed to serving the area in which the facility is located. The alarm shall be transmitted either
 13 directly to a fire department or through a third-party service that shall transmit the alarm to the fire
 14 department. The method used to transmit the alarm shall be in accordance with local ordinances.

15 (g) The basement and the attic shall not ~~to~~ be used for storage or sleeping.

16 (h) The ceiling height throughout the family care home shall be at least seven and one-half feet from the floor.

17 (i) In homes licensed on or after April 1, 1984, all required resident areas shall be on the same floor level. Steps and
 18 ramps between levels are not permitted.

19 (j) The following shall have door width widths shall be a minimum of two feet and six ~~inches in the kitchen, dining~~
 20 ~~room, living rooms, bedrooms and bathrooms. inches:~~

21 (1) the kitchen;

22 (2) dining rooms;

23 (3) living rooms;

24 (4) bedrooms; and

25 (5) bathrooms.

26 (k) All windows that are operable shall be maintained operable.

27 (l) The local code enforcement official shall be consulted before starting any construction or renovations for
 28 information on required permits and construction requirements.

29 (m) The building shall meet sanitation requirements as determined by the North Carolina Department of ~~Environment~~
 30 ~~and Natural Resources; Division of Environmental Health.~~ Health and Human Services, Division of Public Health,
 31 Environmental Health Section.

32 (n) The home shall maintain and have available for review current sanitation and fire ~~and building~~ safety inspection
 33 ~~reports which shall be maintained in the home and available for review. reports.~~

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 35 *History Note: Authority G.S. 131D-2.16; 143B-165;*

36 *Eff. January 1, 1977;*

37 *Readopted Eff. October 31, 1977;*

1 *Amended Eff. July 1, 1990; April 1, 1984; January 1, 1983;*
2 *Temporary Amendment Eff. September 1, 2003;*
3 *Amended Eff. July 1, 2005; June 1, ~~2004~~ 2004;*
4 *Readopted Eff. February 1, 2025.*