



SUBJECT: Building Department Instructions for Submitting Code Modifications (Practical Difficulties)

APPROVAL DATE:

QUESTION / ISSUE: During the course of design or construction of a project it may be determined that it is impractical or exceptionally difficult to follow the prescribed technical code requirements to the letter and other means may be considered provided the intent of the technical codes is met.

CODE PROVISIONS: The North Carolina Administrative Code authorizes the Building Official to grant code modifications for individual cases **whenever there are practical difficulties involved in carrying out the provisions of the technical codes**. The Building Official shall first find that a special individual reason makes the strict letter of the technical code impractical and **the modification is in conformity with the intent and purpose of the technical code, and that such modification does not lessen health, life safety and fire safety requirements or any degree of structural integrity**.

PROCEDURE: The applicant must completely fill out a "Request for Code Modification" form. The applicant shall be the Design Professional (i.e. architect, engineer, etc.), the owner, a lessee, or a duly authorized representative as required by Building Department. The information provided shall include the code requirement(s), the special reason that makes it impractical, the proposed modification(s), and the justification for the request. The applicant shall provide all supporting data, technical reports, product data sheets, drawings, sketches, computer modeling, calculations, etc. that substantiate and justify the request. The information provided shall be "project specific". The fact that a code modification was approved for one project does not guarantee its "blanket" acceptance for all projects. Each submittal shall be evaluated on the conditions and merits of the request for the specific project.

Once the Building Department receives this information, an inspector will review it for completeness and will determine whether the request is **previously approved** (i.e. - similar or identical to a previous request) or **unique** (i.e. - never been asked before).

If the request is **unique**, the inspector will present the request to the group of inspectors at the next scheduled staff meeting or in a special impromptu meeting depending on the time constraints of the applicant and the project schedule.

It is most common that these types of requests occur during construction, after permits have been issued. However, in the event that a "Request for Code Modification" is submitted during the design stages, prior to accepting plans and issuing permits, the final "accepted" request should be included with the permit drawings, either by reference or by copy directly onto the plans, depending on the actual timeframe.

RECORD KEEPING: Once the final decision is made, the request shall be signed with a copy to be returned to the applicant. Explanation(s) of refusal or condition(s) of acceptance as applicable shall be clearly indicated.



City of Winston-Salem Inspections Division
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Winston-Salem, NC, 27101
Tel 336.727.2628
Fax 336.727.2792

REQUEST FOR CODE MODIFICATION

PRACTICAL DIFFICULTIES (MEETS INTENT OF CODE)

APPROVED

DISAPPROVED

DATE: _____
PROJECT NAME: _____
PROJECT ADDRESS: _____
OWNERS NAME: _____
OWNERS ADDRESS: _____

INSTRUCTION

TYPE OF CONSTRUCTION: _____ OCCUPANCY CLASSIFICATION: _____
NUMBER OF STORIES: _____ SIZE OF BUILDING: _____ SQUARE FEET: _____
SPRINKLER – HAZARD CLASIFICATION: _____ DESIGN DENSITY: _____
PERMIT NUMBER(S) TO BE REFERENCED: _____

REQUEST

CODE EDITION: _____ CODE TITLE: _____
SECTION TITLE: _____ SECTIONS NUMBER: _____
CODE REQUIREMENT: _____

What is the special individual reason that makes the strict letter of the code impractical?: _____

Modification Being Requested: _____

REQUEST FOR CODE MODIFICATION

JUSTIFICATION (Provide supporting data, technical reports, data sheets, modeling, calculations, sketches, drawings, etc. Attach as separate sheets as necessary)

SUBMITTED BY: If prepared by a registered professional provide a “wet Seal”.

| | |
|-------------|--------------|
| NAME | TITLE |
|-------------|--------------|

COMPANY NAME: _____
COMPANY ADDRESS: _____
COMPANY TELEPHONE: _____ FAX: _____

Owner or Authorized Representative’s acknowledgement of request

| | |
|-------------|--------------|
| NAME | TITLE |
|-------------|--------------|

COMPANY NAME: _____
COMPANY ADDRESS: _____
COMPANY TELEPHONE: _____ FAX: _____

DETERMINATION (Mark check box on page one)

Reviewed By:

| | | |
|-------------|--------------|-------------|
| NAME | TITLE | DATE |
|-------------|--------------|-------------|

Conditions of approval
