

11 NCAC 08 .1504 REVIEW OF LOCAL AUTHORITY DECISION

(a) If the Engineering Division determines that the requested alternative design and construction does not conform to the requirements of the Code, and does not provide the equivalent level of protection of public health, safety, and welfare prescribed by the Code, the Engineering Division shall uphold the determination by the local authority.

(b) If the Engineering Division determines that the requested alternative design and construction does not conform to the requirements of the Code, but does provide the equivalent level of protection of public health, safety, and welfare prescribed by the Code, the Engineering Division shall overrule the determination by the local authority. The designer or owner-representative may then use the alternative design and construction.

History Note: *Authority G.S. 143-140.1;*

Eff. March 1, 2008;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.