

WHEREFORE, the North Carolina Building Code Council originally adopted Section 304.4 of the 2018 North Carolina Fire Code on December 8, 2019 establishing certain requirements for valet trash containers and lids, and amended the title to limit its applicability to R-2 Occupancies on September 1, 2020, with a delayed effective date of January 1, 2021;

WHEREFORE, it appearing to the North Carolina Building Code Council that, as a result of the ongoing emergency response to help prevent the spread of COVID-19 respiratory disease, there has been insufficient time for the development of a market for compliant containers and lids such that plastic or resin containers and lids that comply with the heat release, heat flux, listing, and labeling requirements of Section 304.4 of the North Carolina Fire Code are not presently widely available for sale and purchase;

IT IS HEREBY RESOLVED by the North Carolina Building Code Council that the effective date of 2018 North Carolina Building Code, Fire Code, Section 304.4 is delayed from January 1, 2021 to July 1, 2021.

This the 8<sup>th</sup> day of December, 2020.

**304.4 Valet Trash Collection Services for R-2 Occupancies**

**304.4.1. Combustible trash in a means of egress.** Combustible trash or recyclable materials shall not be placed in exits, exit passageways, enclosures for stairways or ramps, corridors, elevator lobbies, or on egress balconies, except as permitted by Section 304.4.2.

**304.4.2. Combustible trash or recyclable materials in corridors or on egress balconies of Group R-2 occupancies that are awaiting scheduled valet trash collection is allowed as described in Sections 304.4.2.1 through 304.4.2.3.**

**304.4.2.1. Trash or recyclable materials awaiting valet trash collection shall only be placed in a corridor or on an egress balcony within 5 hours of scheduled pickup and shall not obstruct the minimum egress width required by Section 1031.**

**304.4.2.2. Trash or recyclable materials awaiting valet trash collection shall be placed completely inside of one or more containers with a closed lid that complies with Section 304.4.2.3. Additional trash or recyclable material placed outside of the containers, as described in 304.4.2.3, are prohibited.**

**304.4.2.3. Containers used for valet trash collection shall not exceed a capacity of 2.0 cubic feet (15 gallons, 0.06 cubic meters) and shall be provided with tight-fitting or self-closing lids. Containers and lids shall comply with either:**

**1. Containers and lids located in an area that is protected by fire sprinklers shall be constructed entirely of noncombustible materials or materials that meet a peak rate of heat release not exceeding 300 kW/m<sup>2</sup> when tested in accordance with ASTM E 1354 at an incident heat flux of 50 kW/m<sup>2</sup> in the horizontal orientation. Containers and lids shall be listed or bear the label of an approved agency that validates compliance with this requirement; or**

**2. Containers and lids located in an area that is not protected by fire sprinklers shall be constructed entirely of noncombustible materials or materials that meet a peak rate of heat release not exceeding 150 kW/m<sup>2</sup> when tested in accordance with ASTM E 1354 at an incident heat flux of 50 kW/m<sup>2</sup> in the horizontal orientation. Containers and lids shall be listed or bear the label of an approved agency that validates compliance with this requirement.**

The delayed effective date of this Rule is January 1, 2021.  
The Statutory authority for Rule-making is G. S. 143-136; 143-138.

September 1, 2020