|Agenda Item | **cover sheet**

for consideration by the Apex Town Council

Item Type: OLD BUSINESS

Meeting Date: November 14, 2023

Item Details

Presenter(s):   Councilmember Terry Mahaffey, Sponsor

Department(s):   Governing Body

Requested Motion

~~Possible motion to adopt an Ordinance Amendment amending Chapter 5 – Article 1 - Section 5-9 – State Building Code, Fire Code to require automatic fire sprinklers in all residential dwellings (Group R-3 occupancies and townhouses).~~ ***UPDATE: Councilmember Mahaffey intends to make a motion to remove this item from consideration. This motion will likely occur during the "Regular Meeting Agenda" section of the agenda.***

Approval Recommended?

N/A

Item Details

The North Carolina Building Code Council and/or Residential Building Code Council (new) will have to approve of the change before fire sprinkler systems can be required in Apex. It is anticipated that review and approval of the proposed ordinance will take several months. The next North Carolina Building Code Council Meeting is December 12, 2023, however the deadline for agenda submission was due on November 1, 2023. The first North Carolina Building Code Council meeting this item could be considered would be March 12, 2024.

The Apex Town Council considered the proposed ordinance amendment during the October 24, 2023, regular meeting and the ordinance passed by a simple majority (3-2 with Councilmember Gantt and Councilmember Gray dissenting). For the Town to pass an ordinance on the date of introduction (first vote by council), the ordinance must receive an affirmative vote by 2/3s of its members. For Apex, this "supermajority" vote requires an affirmative vote of 4 members. Because the ordinance passed by a simple majority, it is being presented again for a second vote. If the ordinance receives an affirmative vote by a simple majority on the 2nd reading (second vote by council) it passes.

Attachments

- OB1-A1: Ordinance Amendment - Chapter 5 - Article 1 - Section 5 - Automatic Fire Sprinkler System