



TOWN OF MONTREAT

ZONING AND INSPECTIONS DEPARTMENT

P. O. Box 423

Montreat, NC 28757

Tel: (828)669-8002, ext. 303

Fax: (828)669-3810

www.townofmontreat.org

BUILDING CODE APPEALS TO NORTH CAROLINA DEPARTMENT OF INSURANCE

Applicants or other parties aggrieved by a determination or decision regarding the technical or administrative requirements of the N. C. State Building Code, have recourse, in the following order:

- Appeal is to the Engineering Section of the Department of Insurance (DOI). *This appeal must be received by DOI, within 10 days of receiving the Director's written response to the owner's second level of appeal.*
- After the Engineering Section of the Department of Insurance, the next level of appeal is to the Building Code Council's Hearing Committee. *This appeal must be received within 30 days of the date of the decision by DOI.*
- After the Building Code Council's Hearing Committee, the next level of appeal is to the full Building Code Council. *This appeal must be filed within 30 days of the BCC Hearing Committee's action.*
- Decisions of the N. C. Building Code Council may be appealed to Superior Court in either Wake County or the County in which the proposed building is situated.

Note: Further details on the appeal process at the State Agency and Commission level are available by consulting the 2012 NC Administrative Code and Policies, Section 103: Appeals. This should be consulted as state appeal submission requirements are very detailed.

§ 160A-434. Appeals in general.

Unless otherwise provided by law, appeals from any order, decision, or determination by a member of a local inspection department pertaining to the State Building Code or other State building laws shall be taken to the Commissioner of Insurance or his designee or other official specified in G.S. 143-139, by filing a written notice with him and with the inspection department within a period of 10 days after the order, decision, or determination. Further appeals may be taken to the State Building Code Council or to the courts as provided by law.