

Major Relief on Pier Repair Permitting

Cube Yadkin will no longer require a permit for repairs you or your contractor make to your pier or boathouse as long as the repair is “like-for-like”. Here’s how it happened:

In January 2018 the High Rock Lake Association (HRLA) began receiving a lot of conversation and complaints about permits and penalties arising from pier maintenance.

The HRLA learned that Cube Yadkin met with Inspection Department officials of the five counties that surround the Yadkin Project in early 2018. After that meeting, Cube Yadkin posted a guidance document covering Cube Yadkin permit requirements along with a new schedule of permit fees. Cube Yadkin management also made clear that assertive enforcement would be used on Badin and High Rock to deal with violations of the SMP and permitting policy.

The multitude of complaints the HRLA received in early 2018 convinced the HRLA Board to get involved in finding a solution to the problems our members (and non-members) were facing.

Mr. Todd Yates, a Davidson County Commissioner and a member of the HRLA Board arranged a meeting with NC Department of Insurance (NCDOI) Commissioner Mike Causey. Commissioner Causey directed his engineering staff to work with the HRLA to get a full understanding of the code interpretations and permitting procedures. After reviewing our concerns, the NCDOI staff concluded that a lot of commercial code standards were being applied to piers for single family dwellings. Rather than issue interpretation and clarification documents, NCDOI wisely chose to issue a new NC Residential Code, effective July 1, 2018 that is very clear and concise with respect to standards for piers and docks associated with single or two family private dwellings.

Section R327 of the 2018 North Carolina Residential Code provides a defined set of parameters (limitations) for docks and piers that are exempt from the North Carolina Residential Code and the North Carolina Building Code. According to NCDOI, a property owner planning a structure that does not exceed the limitations may submit certification to the County CEO and a County Building Permit will not be required.

In addition to issuing the 2018 North Carolina Residential Code, NCDOI has issued a Guidance Document to all North Carolina County Inspection Departments providing very direct and clear answers to the questions the HRLA submitted to NCDOI in April 2018. That document, dated June 25, 2018 addresses the permit exemptions, and other issues, including:

- No County permit required for repairs on piers meeting R327 limitations
- No County permit required for repairs on piers when cost of work is less than \$15,000.00 and does not involve repair to the load bearing structural components. Railings and decking are not classified as a structural component.
- NC Residential Code does not require handrails or guardrails on piers meeting R327 limitations.
- Replacement of ramp hinge assembly hardware and bolts does not constitute a “repair of load bearing structure” and does not require a County permit unless cost exceeds \$15,000.00

- Handicap Accessibility requirements of the NC Building Code do not apply to any private waterway structure associated with one or two-family dwellings.

HRLA Officers met with Davidson County Officials in August to review these changes. Davidson Officials acknowledged the Code changes make a significant change in their approach to Pier Permits and inspections and agree that when pier construction or repair is in accordance with the Residential Code exemptions and NCDOT Guidelines, the County will not require a building Permit or conduct inspections. The lakeside property owner or contractor will fill out an "Exemption Form", available at county inspection departments or the HRLA website, certify the exemptions, and leave the form with the county inspection office.

Davidson's Code Enforcement Officer expressed a concern that he believes some people will want a County Building Permit and Inspection of their pier/dock. If that's your case, you can retain the services of a licensed engineer or architect, have them to prepare a set of signed design documents, present these documents to the County office, pay their permit fee, and Davidson County will issue a building Permit, inspect, and issue a certificate of completion.

The HRLA asked to meet with Rowan County officials, but the county declined. The HRLA believes Rowan will operate in generally the same manner as Davidson.

HRLA Board members met with Cube Yadkin staff in mid-August to review changes to the Building Code, changes in COE procedures, and the effect of these changes to the Cube Yadkin permitting procedures put in place in January 2018.

In late August Cube Yadkin responded to the HRLA concerns in a very positive manner. Cube Yadkin rescinded the January 2018 Permit Requirement table (three columns) and posted a revised Table of Requirements for Permits (dated August 28, 2018).

Cube Yadkin will no longer require a permit for repairs to your pier or boathouse as long as the repair is "like-for-like". This is Cube Yadkin's term for repairs to your facility that does not modify, alter, or change the facility. See Cube's Permit Table at end of article or at http://cubecarolinas.com/wp-content/uploads/2018/08/Permit_Table_8-28-2018.pdf

All new work within the scope of the Shoreline Management Plan will continue to require an application to Cube Yadkin and approved permit before you commence any activity.

All electrical, mechanical, or plumbing work requires a County Building Permit; and a Cube Yadkin Permit if within the Cube Yadkin area of control.

We believe the cooperative effort by the HRLA and NCDOT provides great benefit to lakefront property owners, not just at High Rock but throughout North Carolina.

Excerpt from 2018 NC Residential Building Code

SECTION R327

DOCKS, PIERS, BULKHEADS AND WATERWAY STRUCTURES

R327.1 General.

Docks, piers, bulkheads and waterway structures shall be constructed in accordance with Chapter 36 of the North Carolina Building Code.

Exception: Structures complying with the following are not required to meet the provisions of Chapter 36 of the *North Carolina Building Code* or this code.

1. Fixed piers associated with a one- or two- family dwelling meeting all of the following:
 - 1.1. A maximum of four boat slips for a single owner of a one- or two- family dwelling or two adjacent, riparian owners.
 - 1.2. A maximum height of 15 feet measured from deck to mud line at any location along the pier.
 - 1.3. A maximum normal pool depth of 13 feet on lakes and ponds and a maximum mean low water depth of 7 feet in other locations.
 - 1.4. A maximum walkway width of 6 feet
 - 1.5. A maximum pile spacing of 8 feet in both directions.
 - 1.6. A maximum of 576 sq. ft. for non-walkway areas
 - 1.7. A maximum boat slip length of 40 feet -
 - 1.8. A maximum roofed area of 576 sq. ft. with an additional maximum 2-foot overhang.
 - 1.9. Constructed with no enclosed or multilevel structures. -
 - 1.10. Supports a boatlift with a maximum design capacity no greater than 16,000 pounds.

2. Floating docks associated with a one- or two- family dwelling meeting all of the following:
 - 2.1. A maximum of four boat slips for a single owner of a one- or two- family dwelling or two adjacent, riparian owners
 - 2.2. A maximum normal pool depth of 20 feet for docks with guide piles on lakes and ponds and a maximum mean low water of 10 feet for docks with guide piles in other locations.
 - 2.3. A maximum boat slip length of 40 feet
 - 2.4. Finger piers, crosswalks or other floating surfaces having a minimum width of 3 feet wide to a maximum of 6 feet (1829 mm) wide, except for a single 8-foot x 16-foot section.
 - 2.5. When constructed with a roof the following conditions exist:
 - i. Ultimate design wind speed is 115 mph or less;
 - ii. Roof load is 20 psf or less;
 - iii. A maximum eave height of 10 feet
 - iv. A maximum roof slope of 4:12;
 - v. A maximum roofed area of 576 sq. ft. with an additional maximum 2-foot (610 mm) overhang;
 - vi. A minimum boat slip width of 12 feet
 - vii. A minimum floating dock width of 4 feet along both sides of the boat slip;
 - viii. A maximum dead load of 12 psf
 - ix. Floating structures supporting roof structures are balanced or anchored to reduce the possibility of tipping.
 - 2.6. Constructed with no enclosed or multilevel structures.
 - 2.7. Supports a boatlift with a maximum design capacity no greater than 16,000 pounds.



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<p>A Cube Yadkin Permit <u>IS</u> required for:</p> <p>Any new installations or activities including but not limited to:</p> <ul style="list-style-type: none"> • Piers • Private irrigation systems • Electrical installations • Structures, roads or access pathways in the reservoirs, along the shoreline, or within the 100-ft setback (if required) • Shoreline stabilization • Excavation • Vegetative plantings in the reservoirs, along the shoreline, or within the 100-ft setback (if applicable) <p>Modifying an existing pier, or other facilities or activities:</p> <ul style="list-style-type: none"> • Any reconstruction, additions, or expansions of an existing pier, other facilities or activities • Installation of new X-Bracing • Any installation of canvas boat covers over existing slips • Any installation of boat or PWC lifts • Any electrical installations • Any removal or alteration of any vegetation, living or dead, in the reservoirs, along the shoreline, or within the 100-ft setback (if applicable) <p>Repairing an existing pier, or other facilities or activities:</p> <ul style="list-style-type: none"> • Structural repairs (joists, posts, X-Bracing, etc.) to existing piers or boat houses if not like-for-like • Any repairs of existing launch ramps • Any repairing or refacing existing shoreline stabilization 	<p>A Cube Yadkin Permit <u>IS NOT</u> required for:</p> <p>Maintaining an existing pier or existing boat house:</p> <ul style="list-style-type: none"> • Repairing or replacing: <ul style="list-style-type: none"> ○ Decking or planks ○ Handrails ○ Structural repairs (joists, posts, X-Bracing) to existing piers or boat houses if like-for-like ○ Roofing material like-for-like up to \$15,000 ○ Plastic encased floatation devices (manufactured) ○ Bumpers, wailers, or reflectors <p>As long as the maintenance is performed in accordance with Cube Yadkin's Specifications and any applicable building code and/or permit requirements.</p> <p>Debris Removal:</p> <ul style="list-style-type: none"> • Removal of floating debris, litter, and trash provided the method of removal complies with the requirements of the Shoreline Stewardship Policy <p>Cube Yadkin has endeavored to make this table clear and useable for adjoining property owners. However, from time to time there may be questions regarding interpretation of the table or matters not specifically addressed by the table. These will be resolved by Cube Yadkin giving due consideration to the requirements of and the underlying goals reflected in the Specifications for Private Recreation Facilities, the Shoreline Stewardship Policy, Cube Yadkin's Shoreline Management Plan (SMP) and applicable county permitting requirements. If you have any questions, please contact a Cube Yadkin representative at (704) 422-5555.</p>
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