

10A NCAC 14J .1203 is readopted with changes as published in 32:14 NCR 1371-1387 as follows:

10A NCAC 14J .1203 COMPLIANCE REVIEW AND APPROVAL

(a) ~~The~~ Prior to the construction of a new jail or the construction of an addition or alteration to an existing jail I and II, the governing body shall submit ~~copies of the following to the Branch before it begins construction of a new jail and before it makes additions or alterations to an existing jail as defined by the North Carolina State Building Code:~~ Construction Section for review and approval:

- (1) ~~three~~ two sets of schematic drawings and outline specifications;
- (2) ~~three~~ two sets of preliminary working drawings or design development drawings and outline specifications; and
- (3) ~~three~~ two sets of ~~completed final working drawings~~ construction documents and specifications.

The Construction Section shall review one set of these drawings, documents, and specifications for compliance with the standards established in this Section and Rule .0103 of this Subchapter. The Construction Section shall have 45 days from receipt of these drawings, documents, and specifications to complete [their] its review.

(b) Upon receipt of the ~~drawings~~ drawings, documents, and specifications at each stage, [indicated in] required by Paragraph (a) of this Rule, the Construction Section shall send one set each to the following for their review and approval: ~~the North Carolina Department of Insurance for plan review to insure confirm compliance with the North Carolina State Building Code, and the Division of Environmental Health in the Department of Environment and Natural Resources to insure compliance with the rules governing sanitation as codified in 15A NCAC 18A, Section .1500 and which are hereby incorporated by reference including subsequent amendments and editions of the referenced materials. A copy of this material can be obtained free of charge from the State Division of Health Services, Environmental Health Section, Post Office Box 27687, Raleigh, North Carolina 27611 7687. Codes. The Section shall keep one set for its own review and approval to insure compliance with the minimum standards for the operation and construction of jails as contained in this Subchapter. Review and comment on the drawings and specifications at each stage shall be made no later than 30 days after their receipt by the Section. The Construction Section's approval shall be contingent upon the approval by the North Carolina Department of Insurance and the local building code official.~~

(c) During [their] its review, the Construction Section shall determine the total design capacity of the confinement units in the jail. The Construction Section's approval letter required by Paragraph (g) of this Rule shall [indicate] state the total design capacity of the jail with a breakdown of the total design capacity as follows:

- (1) total capacity of confinement units designed for male inmates who are 18 years of age or older;
- (2) total capacity of confinement units designed for male inmates who are under 18 years of age;
- (3) total capacity of confinement units designed for female inmates who are 18 years of age or older;
- and
- (4) total capacity of confinement units designed for female inmates who are under 18 years of age.

(d) In order to maintain compliance with the standards established in this Section and Rule .0103 of this Subchapter, the governing body shall obtain written approval from the Construction Section for any changes made during the construction of the jail in the same manner as set forth in Paragraph (a) of this Rule.

(e) Two weeks prior to the anticipated construction completion date, the governing body shall notify the Construction Section of the anticipated construction completion date in writing either by U.S. Mail at the Division of Health Service Regulation, Construction Section, 2705 Mail Service Center, Raleigh, NC, 27699-2705 or by e-mail at DHSR.Construction.Admin@dhhs.nc.gov.

(f) Prior to inmate occupancy of the jail, the governing body shall obtain written approval of the completed construction from the Construction Section.

(g) When the Construction Section approves the construction documents and specifications, ~~they~~ it shall provide the governing body with an approval letter. The Construction Section's approval of the construction documents and specifications shall expire 24 months after the issuance of the approval letter, unless the governing body has obtained a building permit for construction. The Construction Section shall have 45 days from receipt of a request for a renewed approval to complete their review of the request. If the Construction Section's approval has expired, the governing body may obtain a renewed approval of the construction documents and specifications from the Construction Section as follows:

(1) If the standards established in this Section and Rule .0103 of this Subchapter have not changed, the governing body shall request a renewed approval of the construction documents and specifications from the Construction Section.

(2) If the standards established in this Section and Rule .0103 of this Subchapter have changed, the governing body shall:

(A) submit revised construction documents and specifications meeting the current standards established in ~~Rule .0103 and~~ this Section and Rule ~~1200~~ .0103 of this Subchapter to the Construction Section; and

(B) receive written approval of the revised construction documents and specifications from the Construction Section.

The Construction Section shall have 45 days from receipt of a request for a renewed approval to complete its review of the request.

*History Note: Authority G.S. 153A-221;
Eff. June 1, 1990;
Amended Eff. June 1, ~~1992~~ 1992;
Readopted Eff. July 1, 2019.*