

10A NCAC 14J .1203 COMPLIANCE REVIEW AND APPROVAL

(a) 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 the following to the Construction Section for review and approval:

- (1) two sets of schematic drawings and outline specifications;
- (2) two sets of preliminary working drawings or design development drawings and outline specifications; and
- (3) two sets of 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 its review.

(b) Upon receipt of the drawings, documents, and specifications required by Paragraph (a) of this Rule, the Construction Section shall send one set to the North Carolina Department of Insurance for plan review to confirm compliance with the North Carolina State Building Codes. 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 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 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, 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. 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 this Section and Rule .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;
Readopted Eff. September 4, 2020.*