



December 13, 2024

Joint Statement: New Temporary Housing Emergency Rule

The North Carolina Building Code Council (NCBCC) has adopted an emergency rule developed to streamline the construction process for temporary housing for North Carolinians displaced by Hurricane Helene.

Excerpt from 11 NCAC 08 .0211:

“Temporary housing buildings provided to those in need for use as a temporary shelter during the recovery from Hurricane Helene that do not contain electrical systems requiring the supply of electric current are exempt from permits and inspections from the local inspection department having jurisdiction for the duration of the state of emergency declared by the Governor, pursuant to G.S. 166A-19.20, on September 25, 2024.”

Important to Know:

- Property owners who choose to locate temporary shelters on their property will assume all liability associated with their construction and use.
- If the Temporary Housing Buildings for use as temporary shelters **DO** contain electrical systems requiring the supply of electric current, then a licensed electrical contractor must do this work and pull the proper permits from Development Services or municipal permitting office.
 - Town of Waynesville: 9 South Main Street Suite 110 Waynesville NC 28786 828-456-8647
 - Town of Maggie Valley: 3987 Soco Rd. Maggie Valley NC 28751 828-926-0866
 - Town of Canton: 85 Summer Street Canton NC 28716 828-648-2363
 - Haywood County: 157 Paragon Parkway Suite 200 Clyde NC 28721 828-452-6638
 - Town of Clyde: 8437 Carolina Blvd Clyde NC 28721 828-627-2566
- Temporary shelter occupancy is limited to **180 days from first date of occupancy**.
 - After 180 days of occupancy, the affidavit may be reissued at the discretion of the local jurisdiction as long as this rule and the NC State of Emergency for Helene are still in place.

- When occupancy ends, if the temporary shelter building is to be reused, it will need to be inspected as appropriate to its new use or be removed from the property.
- This emergency rule waives and releases local government responsibility or liability for the use and occupancy of these structures.

Basic requirements for temporary shelters

- Location must comply with local zoning laws (for municipalities), comply with county or municipality special flood hazard ordinances. Structures must be placed to avoid areas prone to landslides, steep slopes, or other natural hazards.
- Essential services, such as water and sanitation, shall be provided on the Owner's property and are the responsibility of the owner.
- Temporary shelters are limited to one story, a maximum of 400 square feet, must have a pitched roof, and must be anchored as described in the Emergency Rule.
- Must have a heating source capable of maintaining 68 degrees.
 - Unvented room heaters and portable space heaters **are prohibited** in temporary housing buildings.
- One battery powered smoke alarm and carbon monoxide alarm, or a combination alarm must be installed in each room.

For full guidelines on construction and location requirements of temporary shelters, refer to affidavit/emergency rule:

<https://www.ncosfm.gov/6-affidavit-temporary-housing-building-emergency-rule-0/open>

Next steps for those interested in installing a temporary shelter:

1. Read and thoroughly understand the emergency rule and temporary shelter building requirements. <https://www.ncosfm.gov/6-affidavit-temporary-housing-building-emergency-rule-0/open>
2. Have the affidavit completed and signed in the presence of a **Notary Public**.
3. Register the completed and notarized Owner Affidavit at Haywood County Development Services or the applicable municipal permitting office.