

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 120*

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H120-AST-3 [v.2]

Page 1 of 3

Comm. Sub. [YES]
Amends Title [NO]
Second Edition

Date _____, 2013

Representative Hager

1 moves to amend the bill on page 1, line 9, through page 2, line 11 by rewriting those lines to
2 read:

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4 "SECTION 1.(a) G.S.153A-352 reads as rewritten:

5 "§ 153A-352. Duties and responsibilities.

6 (a) The duties and responsibilities of an inspection department and of the inspectors in
7 it are to enforce within the county's territorial jurisdiction State and local laws and local
8 ordinances and regulations relating to:

- 9 (1) The construction of buildings;
- 10 (2) The installation of such facilities as plumbing systems, electrical systems,
11 heating systems, refrigeration systems, and air-conditioning systems;
- 12 (3) The maintenance of buildings in a safe, sanitary, and healthful condition;
- 13 (4) Other matters that may be specified by the board of commissioners.

14 These duties and responsibilities include receiving applications for permits and issuing or
15 denying permits, making necessary inspections, issuing or denying certificates of compliance,
16 issuing orders to correct violations, bringing judicial actions against actual or threatened
17 violations, keeping adequate records, and taking any other actions that may be required to
18 adequately enforce the laws and ordinances and regulations. The board of commissioners may
19 enact reasonable and appropriate provisions governing the enforcement of the laws and
20 ordinances and regulations.

21 (b) Except as provided in G.S. 153A-364, a county may not adopt a local ordinance or
22 resolution or any other policy that requires regular, routine inspections of buildings or
23 structures constructed in compliance with the North Carolina Residential Code for One- and
24 Two-Family Dwellings in addition to the specific inspections required by the North Carolina
25 Building Code without first obtaining approval from the North Carolina Building Code
26 Council. The North Carolina Building Code Council shall review all applications for additional
27 inspections requested by a county and shall, in a timely manner, approve or disapprove the
28 additional inspections. This subsection does not limit the authority of the county to require
29 inspections upon unforeseen or unique circumstances that require immediate action."

30 SECTION 1.(b) G.S. 160A-412 reads as rewritten:

31 "§ 160A-412. Duties and responsibilities.



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1 (a) The duties and responsibilities of an inspection department and of the inspectors
2 therein shall be to enforce within their territorial jurisdiction State and local laws relating to

3 (1) The construction of buildings and other structures;

4 (2) The installation of such facilities as plumbing systems, electrical systems,
5 heating systems, refrigeration systems, and air-conditioning systems;

6 (3) The maintenance of buildings and other structures in a safe, sanitary, and
7 healthful condition;

8 (4) Other matters that may be specified by the city council.

9 These duties shall include the receipt of applications for permits and the issuance or denial of
10 permits, the making of any necessary inspections, the issuance or denial of certificates of
11 compliance, the issuance of orders to correct violations, the bringing of judicial actions against
12 actual or threatened violations, the keeping of adequate records, and any other actions that may
13 be required in order adequately to enforce those laws. The city council shall have the authority
14 to enact reasonable and appropriate provisions governing the enforcement of those laws.

15 (b) Except as provided in G.S. 160A-424, a city may not adopt a local ordinance or
16 resolution or any other policy that requires regular, routine inspections of buildings or
17 structures constructed in compliance with the North Carolina Residential Code for One- and
18 Two-Family Dwellings in addition to the specific inspections required by the North Carolina
19 Building Code without first obtaining approval from the North Carolina Building Code
20 Council. The North Carolina Building Code Council shall review all applications for additional
21 inspections requested by a city and shall, in a timely manner, approve or disapprove the
22 additional inspections. This subsection does not limit the authority of the city to require
23 inspections upon unforeseen or unique circumstances that require immediate action.";

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28 and on page 2, lines 24-31 by rewriting those lines to read:

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30 "and the same standards set forth above for adoption of the Code. The Council, through the
31 Department of Insurance, shall publish in the North Carolina Register and shall post on the
32 Council's Web site all appeal decisions made by the Council and all formal opinions at least
33 semiannually. The Council, through the Department of Insurance, shall also publish least
34 semiannually in the North Carolina Register a statement providing the accurate Web site
35 address and information on how to find additional commentary and interpretation of the
36 Code.";

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and on page 2, lines 42-43 by inserting the following between those lines:

"SECTION 3.5. The Department of Insurance shall post and maintain on its Web site written commentaries and written interpretations made and given by staff to the North Carolina Building Code Council and the Department for each section of the North Carolina Building Code."

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

The official copy of this document, with signatures and vote information, is available in the House Principal Clerk's Office