

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 1272*

Short Title: Building Code Council/Economic Impact.

(Public)

Sponsors: Senators Hoyle; Ballantine, Kerr, Martin of Pitt, Perdue, and Reeves.

Referred to: Commerce.

May 27, 1998

A BILL TO BE ENTITLED

1 AN ACT TO INCREASE THE NUMBER OF CONTRACTORS ON THE BUILDING
2 CODE COUNCIL AND TO REQUIRE COUNCIL TO CONSIDER THE IMPACT
3 OF CODE CHANGES ON THE AFFORDABILITY OF RESIDENTIAL HOUSING.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 143-136(a) reads as rewritten:

6 "(a) Creation; Membership; Terms. – There is hereby created a Building Code
7 Council, which shall be composed of ~~15~~17 members appointed by the Governor,
8 consisting of ~~one~~two registered ~~architect, architects,~~ one licensed general contractor, one
9 ~~registered architect or~~ licensed general contractor specializing in residential design or
10 construction, one licensed general contractor specializing in coastal residential
11 construction, one registered engineer practicing structural engineering, one registered
12 engineer practicing mechanical engineering, one registered engineer practicing electrical
13 engineering, one licensed plumbing and heating contractor, one municipal or county
14 building inspector, one licensed liquid petroleum gas dealer/contractor involved in the
15 design of natural and liquid petroleum gas systems who has expertise and experience in
16 natural and liquid petroleum gas piping, venting and appliances, a representative of the
17 public who is not a member of the building construction industry, a licensed electrical
18 contractor, a registered engineer on the engineering staff of a State agency charged with
19 approval of plans of State-owned buildings, a municipal elected official or city manager,
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1 a county commissioner or county manager, and an active member of the North Carolina
2 fire service with expertise in fire safety. In selecting the municipal and county members,
3 preference should be given to members who qualify as either a registered architect,
4 registered engineer, or licensed general contractor. Of the members initially appointed by
5 the Governor, three shall serve for terms of two years each, three shall serve for terms of
6 four years each, and three shall serve for terms of six years each. Thereafter, all
7 appointments shall be for terms of six years. The Governor may remove appointive
8 members at any time. Neither the architect nor any of the above named engineers shall be
9 engaged in the manufacture, promotion or sale of any building material, and any member
10 who shall, during his term, cease to meet the qualifications for original appointment
11 (through ceasing to be a practicing member of the profession indicated or otherwise) shall
12 thereby forfeit his membership on the Council. In making new appointments or filling
13 vacancies, the Governor shall ensure that minorities and women are represented on the
14 Council.

15 The Governor may make appointments to fill the unexpired portions of any terms
16 vacated by reason of death, resignation, or removal from office. In making such
17 appointment, he shall preserve the composition of the Council required above."

18 Section 2. G.S. 143-138(a) reads as rewritten:

19 "(a) Preparation and Adoption. – The Building Code Council is hereby empowered
20 to prepare and adopt, in accordance with the provisions of this Article, a North Carolina
21 State Building Code. Prior to the adoption of this Code, or any part thereof, the Council
22 shall hold at least one public hearing. A notice of such public hearing shall be given once
23 a week for two successive calendar weeks in a newspaper published in Raleigh, said
24 notice to be published the first time not less than 15 days prior to the date fixed for said
25 hearing. The Council may hold such other public hearings and give such other notice as it
26 may deem necessary.

27 The Council shall request the Office of State Budget and Management to prepare a
28 fiscal note for a proposed Code change that has a substantial economic impact, as defined
29 in ~~G.S. 150B-21.4(b1)~~ G.S. 150B-21.4(b1), or that increases the cost of residential
30 housing by eighty dollars (\$80.00) or more per housing unit. The Council shall not take
31 final action on a proposed Code change that has a substantial economic impact or that
32 increases the cost of residential housing by eighty dollars (\$80.00) or more per housing
33 unit until at least 60 days after the fiscal note has been prepared. The change can become
34 effective only in accordance with G.S. 143-138(d)."

35 Section 3. The Building Code Council shall reexamine the wind-load
36 resistance requirements as they apply to residential dwellings. In its review of the wind-
37 load resistance requirements, the Council shall consider site specific factors, the actual
38 experience to date of the existing wind-load resistance requirements, and the impact of
39 the proposed requirements on housing affordability.

40 Section 4. Sections 1 and 2 of this act become effective October 1, 1998. The
41 remainder of this act is effective when it becomes law.