



# HOUSE BILL 573: Business/Regulatory Changes.

2017-2018 General Assembly

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<b>Committee:</b>		<b>Date:</b>	August 14, 2018
<b>Introduced by:</b>		<b>Prepared by:</b>	Wendy Ray
<b>Analysis of:</b>	S.L. 2018-65		Staff Attorney

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**OVERVIEW:** *S.L. 2018-65 does the following:*

- *Authorizes cities to petition the superior court for appointment of a receiver to rehabilitate, demolish, or sell a vacant building when the owner has failed to take corrective action or when an owner voluntarily requests receivership.*
- *Requires the Building Code Council to provide an exemption from energy efficiency codes for residential garages.*
- *Amends an authorization for cities to hold a malt beverage or unfortified wine election if certain conditions are met.*
- *Directs the Environmental Management Commission to adopt rules to amend the Well Standard Rules.*
- *Directs the Environmental Management Commission to modify a rule that requires construction and demolition debris (C&D) landfills to install and maintain a groundwater monitoring program.*
- *Directs the Alcoholic Beverage Control Commission to revise an advertising rule.*

*The portion of the act pertaining to vacant building receiverships becomes effective October 1, 2018, and applies to nuisances per se that occur on or after that date or actions that have not been complied with as of that date. The provision of the act pertaining to an exemption from energy efficiency codes for residential garages becomes effective October 1, 2018. The remainder of the act became effective June 25, 2018.*

**BILL ANALYSIS:** S.L. 2018-65 does all of the following:

- Authorizes cities to petition the superior court for appointment of a receiver to rehabilitate, demolish, or sell a vacant building when the owner has failed to take corrective action as ordered after a finding that the structure is hazardous or unfit for habitation, when the city adopts an ordinance and orders a public officer to continue enforcement actions, or when an owner voluntarily requests receivership. These provisions set out requirements for filing a petition, qualifications of a receiver, the receiver's authority to rehabilitate, demolish, or sell the property, and provide for final disposition of the matter. Cities are also be authorized to charge the owner of the property subject to receivership an administrative fee.
- Requires the Building Code Council to provide an exemption from energy efficiency codes for residential garages.

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- Authorizes a city to hold a malt beverage or unfortified wine election if the city has a population of 200 or more, the county in which more than 50% of the city is located has held such an election and the vote was against, and that county contains three or more other cities that have previously voted to allow malt beverages OR (prior law AND) unfortified wine.
- Directs the Environmental Management Commission to adopt rules to amend the Well Standard Rules consistent with the following:
  - Reduce setback between wells serving single family homes and most types of septic tank systems from 100 feet to 50 feet.
  - Reduce grouting depth requirement in certain areas from 35 feet below the surface to 20 feet below the surface.
  - Increase the source water depth requirement in certain areas from 35 feet below the surface to 43 feet below the surface.
  - Increase casing depth requirement in certain areas from 35 feet to 43 feet.
  - Change the well construction standards in certain areas from a casing depth of 35 feet to a casing depth of 43 feet with 20 feet of grout.
- Directs the Environmental Management Commission to modify a rule that requires construction and demolition debris (C&D) landfills to install and maintain a groundwater monitoring program, to decrease the frequency of required sampling from semi-annually to annually.
- Directs the Alcoholic Beverage Control Commission to revise its advertising rule to allow a sports or entertainment venue with a permanently constructed seating capacity of 3,000 or more, which is not located on a school campus, to display inside the venue advertising for malt beverages and unfortified wine that is visible from outside the venue.

**EFFECTIVE DATE:** The section act pertaining to vacant building receiverships becomes effective October 1, 2018, and applies to nuisances per se that occur on or after that date or actions that have not been complied with as of that date. The section of the act providing for an exemption from energy efficiency codes for residential garages becomes effective October 1, 2018. The remainder of the act became effective June 25, 2018.