



SENATE BILL 308: Various Building Code Amend.

**This Bill Analysis
reflects the contents
of the bill as it was
presented in
committee.**

2021-2022 General Assembly

Committee:	House Rules, Calendar, and Operations of the House	Date:	October 20, 2021
Introduced by:	Sens. Johnson, Jarvis	Prepared by:	Howard Marsilio
Analysis of:	PCS to Third Edition S308-CSBG-25		Staff Attorney

OVERVIEW: *The Proposed Committee Substitute (PCS) for Senate Bill 308 would:*

- *Prohibit inspection departments from delaying the issuance of a temporary certificate of occupancy when additional violations are found, on items already approved, during reinspection.*
- *Clarify electric wiring requirement references.*
- *Modify one- or two- family dwelling residential development fire apparatus access road requirements where conformance is technically infeasible.*

CURRENT LAW/BILL ANALYSIS:

Section 1: Current law requires that a building inspector inform the permit holder of instances in which the work inspected fails to meet applicable State Building Codes. When a subsequent inspection is conducted to verify completion or correction of instances of building code noncompliance, any additional violations of the codes noted by the inspector, on items already approved, may delay the issuance of a temporary certificate of occupancy.

Section 1 would prohibit an inspection department from delaying the issuance of a temporary certificate of occupancy when additional violations are found on items already approved, by an inspector, during previous inspections.

Section 2: Current law requires that electric wiring for house or building lighting, or for other purposes, conform to the requirements of the State Building Code, and includes a specific reference to the National Electric Code (NEC). Current law also specifies that the Building Code Council may use the requirements of the NEC as guidance, but is not required to adopt the requirements of the NEC, in the development of the State Building Code.

Section 2 would strike the specific reference to the NEC in G.S. 143-143.2, and would clarify and reconcile that electric wiring must conform with the requirements of the State Building Code generally.

Section 3: The current North Carolina Fire Code generally requires two separate fire apparatus access roads for one- or two- family dwelling residential developments with more than 30 dwelling units, unless the dwelling units are equipped with automatic fire sprinklers. When two fire apparatus access roads are required for these developments, the access points must meet a minimum separation distance calculation requirement.

Section 3 would prohibit the application of this separation distance calculation requirement for fire apparatus access roads where conformance is technically infeasible, as determined by the property owner

Jeffrey Hudson
Director



Legislative Analysis
Division
919-733-2578

Senate PCS 308

Page 2

or developer. This section would also provide guidance for the implementation of this section and the adoption/amendment of rules in accordance with this section.

EFFECTIVE DATE: Section 1 of the bill would become effective January 1, 2022, and apply to inspections associated with permits applied for on or after that date. The remainder of this act would become effective when it becomes law.