



SENATE BILL 308: Various Building Code Amend.

2021-2022 General Assembly

Committee:		Date:	February 1, 2022
Introduced by:		Prepared by:	Howard Marsilio Staff Attorney
Analysis of:	S.L. 2021-183		

OVERVIEW: S.L. 2021-183:

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

Except as otherwise provided, this act became effective November 23, 2021. Section 1 of this act became effective January 1, 2022. Section 3 became effective November 23, 2021, and will expire the date rules adopted, as required by that section, become effective.

CURRENT LAW/BILL ANALYSIS:

Section 1: Current law, as amended by S.L. 2021-117 and S.L. 2021-121, requires that a building inspector inform the permit holder of instances in which the work inspected fails to meet applicable 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 removes this option and prohibits 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 removes the specific reference to the NEC in G.S. 143-143.2 and clarifies and reconciles that electric wiring must conform with the requirements of the State Building Code.

Section 3: The current North Carolina Fire Code, when applicable, requires two separate fire apparatus access roads to residential developments 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.

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Senate Bill 308

Page 2

Section 3 prohibits the application of this separation distance calculation requirement for fire apparatus access roads where conformance is technically infeasible, as determined by the property owner or developer, and provides guidance for the implementation and for the adoption of rules.

EFFECTIVE DATE: Except as otherwise provided, this act became effective November 23, 2021. Section 1 of the bill became effective January 1, 2022. Section 3 became effective November 23, 2021, and will expire the date rules adopted, as required by that section, become effective.