



SENATE BILL 329: Bldg. Permit Exempt./Timeshare Eff. Date.

2021-2022 General Assembly

Committee:		Date:	February 1, 2022
Introduced by:		Prepared by:	Howard Marsilio Staff Attorney
Analysis of:	S.L. 2021-192		

OVERVIEW: *S.L. 2021-192 modifies exemptions from building permit and professional seal requirements applicable to certain construction projects, and increases the permit exemption threshold for single-family residences and farm building projects to \$20K and expands this exemption to commercial building projects.*

Except as otherwise provided, this act became effective December 9, 2021. Sections 1, 2, 3, and 4 of this act became effective December 15, 2021. Sections 1, 2(b), and 3 of this act expire December 31, 2024. Section 5 became retroactively effective to October 6, 2021.

BILL ANALYSIS:

Section 1:

- Modifies the current project value threshold to provide that no architectural license is required for the preparation, sale, or furnishing of plans, specifications and related data, or for the supervision of construction for institutional or commercial building projects less than \$300,000 (currently \$200,000).
- Modifies and expands project criteria and project types which are exempt from the professional architect seal requirement, including:
 - A commercial building project having a total value of less than \$300,000 (currently \$200,000) and a total project area of less than 3,000 square feet in gross floor area.
 - Any alternation, remodeling, renovation, or repair project in a commercial building with a total value of less than \$300,000, or with a building area that does not exceed 3,000 square feet in gross floor area.

Section 2:

- Specifies that no permit shall be required under the Building Code, or approved local variances, for any commercial building construction project work costing \$20,000 or less (occurring on the property within 12 consecutive months) performed in accordance with the Building Code unless that work involves the addition of roofing, use of materials not permitted by the State Building Code, load bearing structures, plumbing, heating, air conditioning, or electrical wiring, appliances, or equipment.
- Specifies that the Building Code shall not require certain commercial building plans to be under the seal of a registered architect or engineer for alternation, remodeling, renovation, or repair work costing less than \$300,000 or to a building with a total building area less than 3,000 square feet in gross floor area, when the work does not involve load-bearing structures, does not involve certain

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projects using public funds which otherwise require an architect and engineer seal by law, and is performed in accordance with the Fire Prevention Code.

Section 3 prohibits a local government from adopting or enforcing any local ordinance, resolution, or policy requiring certain commercial building plans to be under the seal of a registered architect or engineer for alternation, remodeling, renovation, or repair work costing less than \$300,000 or to a building with a total building area less than 3,000 square feet in gross floor area, when the work does not alter load-bearing structures, and does not involve certain projects using public funds that requires an architect and engineer seal by law.

Section 4 modifies criteria to exempt certain projects from permit requirements and provides that no permit is required for projects costing less than \$20,000 to single-family residences, farm buildings, or commercial buildings unless work involves the addition of roofing, use of materials not permitted by the State Building Code, load bearing structures, plumbing, heating, air conditioning, or electrical wiring, appliances, or equipment, or any changes involving the North Carolina Fire Prevention Code.

Section 5 amends the applicability of changes to the North Carolina Timeshare Act, within Section 1(c) of S.L. 2021-163, to exclude timeshare transfer services or transfer service providers prior to July 1, 2022.

EFFECTIVE DATE: Except as otherwise provided, this act became effective December 9, 2021. Sections 1, 2, 3, and 4 of this act became effective December 15, 2021. Sections 1, 2(b), and 3 of this act expire December 31, 2024. Section 5 became effective October 6, 2021.

Bill Patterson, Legislative Analysis Division, substantially contributed to this summary.