

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1997

SESSION LAW 1998-57
HOUSE BILL 1334

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

The General Assembly of North Carolina enacts:

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

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

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

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

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

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

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

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

In the General Assembly read three times and ratified this the 16th day of July, 1998.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives

s/ James B. Hunt, Jr.
Governor

Approved 10:50 a.m. this 24th day of July, 1998