

§ 143-151.17. Grounds for disciplinary actions; investigation; administrative procedures.

(a) The Board has the power to suspend, revoke, demote to a lower level, or refuse to grant a certificate issued under this Article to any person to whom any of the following applies:

- (1) Has been convicted of a felony against this State or the United States, or convicted of a felony in another state that would also be a felony if it had been committed in this State.
- (2) Has obtained certification through fraud, deceit, or perjury.
- (3) Has knowingly aided or abetted any person practicing contrary to the provisions of this Article or the North Carolina State Building Code or any building codes adopted by a federally recognized Indian Tribe.
- (4) Has defrauded the public or attempted to do so.
- (5) Has affixed his or her signature to a report of inspection or other instrument of service if no inspection has been made by him or her or under his or her immediate and responsible direction.
- (6) Has been guilty of willful misconduct, gross negligence, or gross incompetence.

(b) The Board may investigate the actions of any qualified Code-enforcement official or applicant upon the verified complaint in writing of any person alleging a violation of subsection (a) of this section. The Board may suspend, revoke, or demote to a lower level any certificate of any qualified Code-enforcement official and refuse to grant a certificate to any applicant, whom it finds to have been guilty of one or more of the actions set out in subsection (a) of this section as grounds for disciplinary action.

(c) A denial, suspension, revocation, or demotion to a lower level of a certificate issued under this Article shall be made in accordance with Chapter 150B of the General Statutes.

(d) The Board may deny an application for a certificate for any of the grounds that are described in subsection (a) of this section. Within 30 days after receipt of a notification that an application for a certificate has been denied, the applicant may make a written request for a review by a committee designated by the chairman of the Board to determine the reasonableness of the Board's action. The review shall be completed without undue delay, and the applicant shall be notified promptly in writing as to the outcome of the review. Within 30 days after service of the notification as to the outcome, the applicant may make a written request for a hearing under Article 3A of Chapter 150B of the General Statutes if the applicant disagrees with the outcome.

(e) This section applies to Code-enforcement officials and applicants who are employed or seek to be employed by a federally recognized Indian Tribe to perform inspections on tribal lands. (1977, c. 531, s. 1; 1987, c. 827, s. 228; 1993, c. 504, s. 36; 1993 (Reg. Sess., 1994), c. 678, s. 36; 1999-78, s. 5; 2007-120, s. 3; 2022-62, s. 34; 2024-49, s. 5.2(l).)