

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001

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**HOUSE BILL 598**  
**Committee Substitute Favorable 3/27/01**  
**Third Edition Engrossed 4/4/01**  
**Senate Commerce Committee Substitute Adopted 6/20/01**

Short Title: Building Inspections Contracted.

(Public)

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Sponsors:

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Referred to:

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March 14, 2001

A BILL TO BE ENTITLED

1  
2 AN ACT TO REPEAL THE REQUIREMENT THAT COUNTIES AND  
3 MUNICIPALITIES MAY ONLY ENTER INTO CONTRACTS WITH  
4 PRIVATELY EMPLOYED INDIVIDUALS OR THEIR EMPLOYERS FOR  
5 BUILDING INSPECTION SERVICES FOR SPECIFICALLY DESIGNATED  
6 PROJECTS.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 153A-353 reads as rewritten:

9 **"§ 153A-353. Joint inspection department; other arrangements.**

10 A county may enter into and carry out contracts with one or more other counties or  
11 cities under which the parties agree to create and support a joint inspection department  
12 for enforcing those State and local laws and local ordinances and regulations specified  
13 in the agreement. The governing bodies of the contracting units may make any  
14 necessary appropriations for this purpose.

15 In lieu of a joint inspection department, a county may designate an inspector from  
16 another county or from a city to serve as a member of the county inspection department,  
17 with the approval of the governing body of the other county or city. A county may also  
18 contract with an individual who is not a city or county employee but who holds one of  
19 the applicable certificates as provided in G.S. 153A-351.1 or G.S. 160A-411.1 or with  
20 the employer of an individual who holds one of the applicable certificates as provided in  
21 G.S. 153A-351.1 or G.S. 160A-411.1. ~~Contracts with an individual or with the~~  
22 ~~employer of an individual who is not an employee of another county or a city may be~~  
23 ~~entered into only for specifically designated projects.~~ The inspector, if designated from  
24 another county or city under this section, while exercising the duties of the position, is a  
25 county employee. The county shall have the same potential liability, if any, for  
26 inspections conducted by an individual who is not an employee of the county as it does  
27 for an individual who is an employee of the county. The company or individual with

1 whom the county contracts shall have errors and omissions and other insurance  
2 coverage acceptable to the county."

3       **SECTION 2.** G.S. 160A-413 reads as rewritten:

4 "**§ 160A-413. Joint inspection department; other arrangements.**

5       A city council may enter into and carry out contracts with another city, county, or  
6 combination thereof under which the parties agree to create and support a joint  
7 inspection department for the enforcement of State and local laws specified in the  
8 agreement. The governing boards of the contracting parties are authorized to make any  
9 necessary appropriations for this purpose.

10       In lieu of a joint inspection department, a city council may designate an inspector  
11 from any other city or county to serve as a member of its inspection department with the  
12 approval of the governing body of the other city or county. A city may also contract  
13 with an individual who is not a city or county employee but who holds one of the  
14 applicable certificates as provided in G.S. 160A-411.1 or G.S. 153A-351.1 or with the  
15 employer of an individual who holds one of the applicable certificates as provided in  
16 G.S. 160A-411.1 or G.S. 153A-351.1. ~~Contracts with an individual or with the~~  
17 ~~employer of an individual who is not an employee of another city or a county may be~~  
18 ~~entered into only for specifically designated projects.~~The inspector, if designated from  
19 another city or county under this section, shall, while exercising the duties of the  
20 position, be considered a municipal employee. The city shall have the same potential  
21 liability, if any, for inspections conducted by an individual who is not an employee of  
22 the city as it does for an individual who is an employee of the city. The company or  
23 individual with whom the city contracts shall have errors and omissions and other  
24 insurance coverage acceptable to the city.

25       The city council of any city may request the board of county commissioners of the  
26 county in which the city is located to direct one or more county building inspectors to  
27 exercise their powers within part or all of the city's jurisdiction, and they shall thereupon  
28 be empowered to do so until the city council officially withdraws its request in the  
29 manner provided in G.S. 160A-360(g)."

30       **SECTION 3.** This act becomes effective October 1, 2001.