

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 329
Second Edition Engrossed 5/5/21
House Committee Substitute Favorable 8/19/21
PROPOSED HOUSE COMMITTEE SUBSTITUTE S329-CSBG-24 [v.2]
10/19/2021 11:34:13 AM

Short Title: Building Code Mod./Permit Exemption Amt. Mod.

(Public)

Sponsors:

Referred to:

March 23, 2021

A BILL TO BE ENTITLED
AN ACT TO MODIFY ARCHITECT LICENSURE AND SEAL, ENGINEER SEAL, AND
BUILDING PERMIT EXEMPTION CRITERIA FOR CERTAIN CONSTRUCTION
PROJECTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 83A-13 reads as rewritten:

"§ 83A-13. Exemptions.

...
(c) Nothing in this Chapter shall be construed to require an architectural license for the preparation, sale, or furnishing of plans, specifications and related data, or for the supervision of construction pursuant thereto, where the building, buildings, or project involved is in one of the following categories:

- ...
(3) An institutional or commercial building if it does not have a total value exceeding ~~two hundred thousand dollars (\$200,000);~~ three hundred thousand dollars (\$300,000);
(4) An institutional or commercial building if the total building area does not exceed 3,000 square feet in gross floor area;

...
(c1) Notwithstanding subdivisions (c)(3) and (4) of this section, ~~a~~ all of the following shall be exempt from the requirement for a professional architectural seal:

- (1) A commercial building project with a total value of less than ~~two hundred thousand dollars (\$200,000)~~ three hundred thousand dollars (\$300,000) and a total project area of less than 3,000 square feet shall be exempt from the requirement for a professional architectural seal.
(2) Any alteration, remodeling, renovation, or repair of a commercial building with a total value of less than three hundred thousand dollars (\$300,000).
(3) Any alteration, remodeling, renovation, or repair of a commercial building if the total building area does not exceed 3,000 square feet in gross floor area.

...."

SECTION 2. G.S. 143-138 is amended by adding two new subsections to read:

"(b21) Exclusion for Certain Minor Activities in Commercial Buildings and Structures. – No permit shall be required under the Code or any local variance thereof approved under subsection (e) for any construction, installation, repair, replacement, or alteration performed in accordance



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with the current edition of the North Carolina State Building Code and the North Carolina Fire Prevention Code costing twenty thousand dollars (\$20,000) or less in any commercial building or structure unless the work involves any of the activities described in subdivisions (1) through (5) of subsection (b5) of this section.

(b22) Limit Requirement for Certain Plans to be Under Professional Seal. – The North Carolina State Building Code shall not require that plans and specifications for any alteration, remodeling, renovation, or repair of a commercial building or structure be prepared by and under the seal of a registered architect licensed under Chapter 83A of the General Statutes, or a registered engineer licensed under Chapter 89C of the General Statutes, if the alteration, remodeling, renovation, or repair costs less than three hundred thousand dollars (\$300,000) or if the total building area does not exceed 3,000 square feet in gross floor area and all of the following apply:

- (1) The alteration, remodeling, renovation, or repair does not include the addition, repair, or replacement of load-bearing structures.
- (2) The alteration, remodeling, renovation, or repair is not subject to the requirements of G.S. 133-1.1(a).
- (3) The alteration, remodeling, renovation, or repair is performed in accordance with the current edition of the North Carolina Fire Prevention Code."

SECTION 3. G.S. 160D-1104 is amended by adding a new subsection to read:

"(d1) A local government may not adopt or enforce a local ordinance, resolution, or policy that requires that plans and specifications for any alteration, remodeling, renovation, or repair of a commercial building or structure be prepared by and under the seal of a registered architect licensed under Chapter 83A of the General Statutes, or a registered engineer licensed under Chapter 89C of the General Statutes, if the alteration, remodeling, renovation, or repair costs less than three hundred thousand dollars (\$300,000) or if the total building area does not exceed 3,000 square feet in gross floor area and all of the following apply:

- (1) The alteration, remodeling, renovation, or repair does not include the addition, repair, or replacement of load-bearing structures.
- (2) The alteration, remodeling, renovation, or repair is not subject to the requirements of G.S. 133-1.1(a)."

SECTION 4.(a) G.S. 160D-1110(c) reads as rewritten:

"(c) No permit issued under Article 9 or 9C of Chapter 143 of the General Statutes is required for any construction, installation, repair, replacement, or alteration performed in accordance with the current edition of the North Carolina State Building Code costing ~~fifteen thousand dollars (\$15,000)~~ twenty thousand dollars (\$20,000) or less in any single-family residence or residence, farm building-building, or commercial building unless the work involves any of the following:

- (1) The addition, repair, or replacement of load-bearing structures. However, no permit is required for replacement of windows, doors, exterior siding, or the pickets, railings, stair treads, and decking of porches and exterior decks that otherwise meet the requirements of this subsection.
- (2) The addition or change in the design of plumbing. However, no permit is required for replacements otherwise meeting the requirements of this subsection that do not change size or capacity.
- (3) The addition, replacement, or change in the design of heating, air-conditioning, or electrical wiring, devices, appliances, or equipment, other than like-kind replacement of electrical devices and lighting fixtures.
- (4) The use of materials not permitted by the North Carolina ~~Residential Code for One and Two Family Dwellings~~ State Building Code.
- (5) The addition (excluding replacement) of roofing."

SECTION 4.(b) G.S. 143-138(b5) reads as rewritten:

"(b5) Permit Exclusion for Certain Minor Activities in Residential and Farm Structures.
Activities. — No permit shall be required under the Code or any local variance thereof approved
under subsection (e) for any construction, installation, repair, replacement, or alteration
performed in accordance with the current edition of the North Carolina State Building Code and
costing ~~fifteen thousand dollars (\$15,000)~~ twenty thousand dollars (\$20,000) or less in any single
family ~~residence or residence~~, farm building, building, or commercial building unless the work
involves any of the following:

- (1) The addition, repair, or replacement of load bearing structures. However, no permit is required for replacements of windows, doors, exterior siding, or the pickets, railings, stair treads, and decking of porches and exterior decks that otherwise meet the requirements of this subsection.
- (2) The addition or change in the design of plumbing. However, no permit is required for replacements otherwise meeting the requirements of this subsection that do not change size or capacity.
- (3) The addition, replacement or change in the design of heating, air conditioning, or electrical wiring, appliances, or ~~equipment~~ equipment, other than a like-kind replacement of electrical devices and lighting fixtures.
- (4) The use of materials not permitted by the North Carolina ~~Residential Code for One and Two Family Dwellings~~ State Building Code.
- (5) The addition (excluding replacement) of roofing."

SECTION 5. This act becomes effective December 1, 2021, and applies to construction, installation, repair, replacement, remodeling, renovation, or alteration projects beginning on or after that date.