



**NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 489**

AMENDMENT NO. \_\_\_\_\_  
(to be filled in by  
Principal Clerk)

H489-ARI-45 [v.1]

Page 1 of 3

Amends Title [NO]  
Third Edition

Date \_\_\_\_\_, 2021

Senator Woodard

1 moves to amend the bill on page 8, lines 16 and 17,  
2 by inserting between those lines:

3  
4 **"SECTION 8.(a)** S.L. 2020-61 reads as rewritten:

5 **"SECTION 4.(a)** Definitions. – For purposes of this section and its implementation,  
6 the following definitions apply:

7 (1) "Permitting by Regulation for Building Sewer Systems Rule " means 15A  
8 NCAC 02T .0303 (Permitting by Regulation).

9 (2) "Accessory building" means in one- and two-family dwellings not more than  
10 three stories above grade plane in height with a separate means of egress, a  
11 building, the use of which is incidental to that of the main building and which  
12 is detached and located on the same lot. An accessory building is a building  
13 that is roofed over and more than fifty percent (50%) of its exterior walls are  
14 enclosed. Examples of accessory buildings are garages, storage buildings,  
15 workshops, boat houses, treehouses, and dwelling units, etc. For purposes of  
16 this section, "main building" shall only include one- and two-family  
17 dwellings.

18 (3) "Building sewer" means that part of the drainage system that extends from the  
19 end of the building drain and conveys the discharge by gravity or under  
20 pressure to a public sewer, private sewer, individual sewage disposal system,  
21 or other point of disposal.

22 (4) "Lot" means a portion or parcel of land considered as a unit.

23 (5) "Building drain" means that part of the lowest piping of a drainage system that  
24 receives the discharge from soil, waste and other drainage pipes inside and  
25 that extends to 10 feet (3048 mm) beyond the exterior walls of the building  
26 and conveys the drainage to the building sewer.

27 (6) "Building Code" means the 2018 North Carolina Building Code as adopted by  
28 the Council.

29 **SECTION 4.(b)** Permitting by Regulation for Building Sewer Systems Rule. – Until  
30 the effective date of the revised permanent rule that the Environmental Management Commission  
31 is required to adopt pursuant to subsection (d) of this section, the Commission shall implement



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Page 2 of 3

the Permitting by Regulation for Building Sewer Systems Rule as provided in subsection (c) of this section.

**SECTION 4.(c)** Implementation. – Notwithstanding the requirements of General Permit No. WQG100000 and the limitation on applicability of 15A NCAC 02T .0303(a)(1), (a)(2), and (a)(3) to a building sewer that serves a single building, if a building sewer that serves a main building is deemed permitted pursuant to 15A NCAC 02T .0113, then a building sewer that serves an accessory building on the same lot that is connected to the building sewer or building drain for the main building, and a sewer shared between a main building and an accessory building, shall also be deemed permitted if the building sewer that serves the accessory building, and the sewer shared between the main building and the accessory building, meet the criteria in 15A NCAC 02T .0113 and all criteria required for that system in 15A NCAC 02T .0303, and no additional permit shall be ~~required.~~ required to satisfy 15A NCAC 02T. In all cases, the building sewer piping and the building drain piping that connect the accessory building to the main building shall comply with applicable provisions of the Building Code. This section shall only apply to sewers that serve one main building and one accessory building on the same lot.

**SECTION 4.(d)** Additional Rule-Making Authority. – The Commission shall adopt a rule to amend the Permitting by Regulation for Building Sewer Systems Rule consistent with subsection (c) of this section. Notwithstanding G.S. 150B-19(4), the rule adopted by the Commission pursuant to this section shall be substantively identical to the provisions of subsection (c) of this section. Rules adopted pursuant to this section are not subject to Part 3 of Article 2A of Chapter 150B of the General Statutes. Rules adopted pursuant to this section shall become effective as provided in G.S. 150B-21.3(b1), as though 10 or more written objections had been received as provided in G.S. 150B-21.3(b2).

**SECTION 4.(e)** Applicability and Sunset. – This section and rules adopted pursuant to this section shall apply to common sewer lines and building drains in existence on, or constructed on or after, ~~the effective date of this act, June 24, 2020,~~ which are shared by accessory dwelling units or accessory residential buildings and a primary residence. This section expires when permanent rules adopted as required by subsection (d) of this section become effective."

**SECTION 8.(b)** This section is effective when it becomes law.";

and renumbering the remaining sections accordingly.

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Page 3 of 3

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_