

Recent Legislation Affecting Building Permits and Code Enforcement

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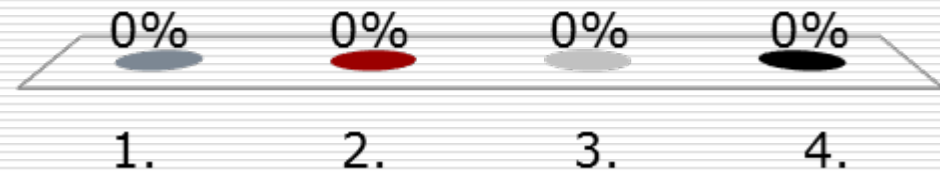
Legislative Actions in the General Assembly of Possible Interest to Permitting Officials

- 2015 New Standards for Code Official Disciplinary Actions
- 2015 Cost Thresholds for Building Permits Hiked
- 2015 Earmarking of Inspection Fees Added
- 2015 Partial Inspections Banned
- 2015 Greater Significance for Plans Sealed by Licensed Architect or Engineer
- 2016 More on Construction Cost and Building Permits
- 2017 Building Code Exemption for Farm Buildings Clarified
- 2017 Field Inspections under Supervision of Licensed Architect or Engineer
- 2017 Inspection Departments Must Offer Internal Review of Permit Decisions made by Code Officials



Which one of the statements is false?

1. Inspection fees may be used to pay salaries for building plans examiners
2. Inspection fees may be used to support comprehensive planning in a county planning and development department
3. The amount of inspection fees may not exceed the cost of providing the services that inspection departments offer
4. Building inspection fees may be used to support zoning inspections



Earmarking of Inspection Fees

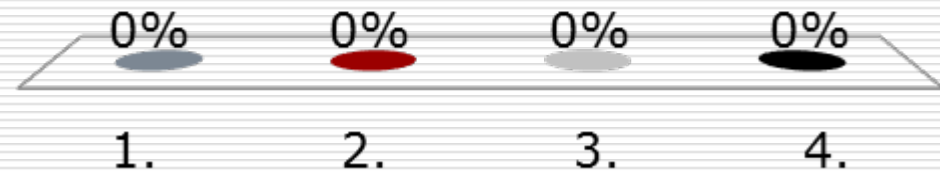
G.S. 160A-414; 153A-354



- Requires inspection department fees to be used solely “for support of the administration and activities of the inspection department and for no other purpose.”

Code official misconduct does not include which one of the following?

1. Refusal to accept alternative construction method approved by DOI.
2. Habitual failure to provide requested inspections in timely manner
3. Withholding of building permit until septic tank improvements permit obtained
4. Enforcement of requirement more stringent than SBC if CO believes necessary to protect public



Loss of Certification Because of Code Official Misconduct

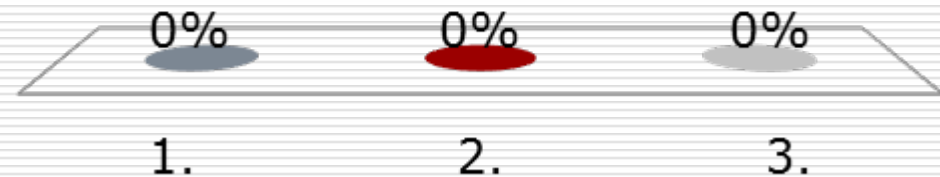
G.S. 143-151.8



- ❑ Code official may lose certification because of “willful misconduct, gross negligence, or gross incompetence.”
 - ❑ These terms include:
 - ❑ Refusal to adhere to DOI interpretation
 - ❑ Refusal to allow alternative method set forth in code
 - ❑ Extending code requirement to circumstances not specified in code or imposing more stringent requirements
 - ❑ “Habitual failure” to provide requested inspections in “timely manner.”
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Which statement is correct?

1. For each scheduled visit an inspector must complete all requested inspections for which he/she is qualified
2. A cross-qualified inspector need not make inspections in other trades once he finds a noncompliant feature in one
3. Re-inspection fees are now prohibited.



Inspections Must be Performed in Full and All Failing items Reported

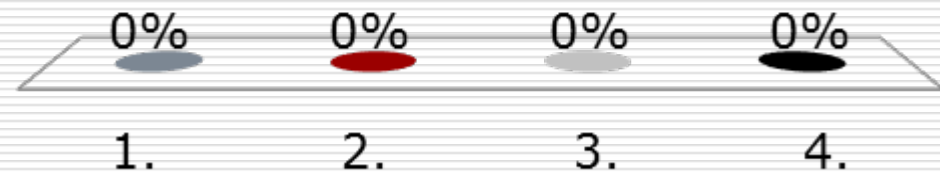
G.S. 153A-352; 160A-412



- ❑ When conducting residential inspections, inspector must make all inspections requested for each scheduled inspection visit
 - ❑ For each requested inspection, permit holder must be informed of any work that is incomplete or fails to meet the code
-

For what work in a SF residence or farm building is a permit required?

1. The replacement of decking on an exterior residential deck costing \$10,460
2. The replacement of plumbing of the same size and capacity costing \$7,130.
3. The initial electrical wiring of a barn at a cost of \$6,100
4. The replacement of cedar shake with asphalt shingles at a cost of \$7,600



Work in any SF Residence or Farm Building
Costing Less Than \$15,000 Exempt from SBC
Permitting Requirements EXCEPT

G.S. 160-417; 153A-357;143-138



- Repair/replacement of load-bearing structures EXCEPT door, siding, stair treads, and decking for porches/decks
 - Addition/change in plumbing design EXCEPT those not changing size or capacity
 - Addition or replacement of HVAC, or electrical wiring or equipment
 - Addition of roofing (reroofing) EXCEPT roof replacement
 - Replacement/repair of certain residential water heaters
-

Other Work Exempt from SBC Permitting Requirements

G.S. 143-138



- ❑ Replacement of certain residential water heaters with one of an essentially identical nature if done according to code by a licensed plumbing contractor according to code
 - ❑ Repair or replacement of dishwashers, disposals, water heaters, electrical devices or lighting features in residential/commercial structures if no addition or relocation of electrical wiring involved and work performed by licensed electrical contractor in conformity with code
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Well Drillers Allowed to do Plumbing and Electrical Work

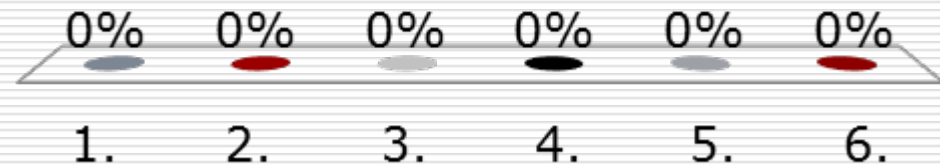
G.S. 87-97(b1)



- Well permit allows certified well contractor to:
 - Install or repair water pipes from well to water tank, and
 - Install both water pipes and electrical wiring I when running electrical wired from well pump to pressure switch and water pipes from well to the water tank
-

Which activity is not exempt from SBC building regulations?

1. County jurisdiction greenhouses
2. County horse stables
3. NCDOT garage costing \$41,000
4. Electric power poles
5. Primitive camping structures costing \$17,000
6. County bona-fide farm buildings other than farm houses



Exemptions from SBC Building Requirements

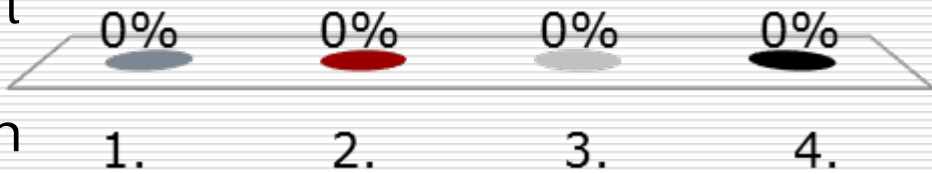
G.S. 143-138; 153A-340



- ❑ Extends “farm building” exemption from SBC building regulations applicable to any nonresidential building or structure used for a “bona-fide farm,” as that term used in county zoning exemption statute (G.S. 153A-340)
 - ❑ Provides that a building or structure used for “agritourism” is a bona-fide farm if owner holds farmer sales tax exemption or land is subject to present-use-value assessment
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Which statement is correct?

1. Inspector need not accept certification of licensed architect or engineer except for an alternative method
2. Certification of licensed design professional must be accepted unless disputed by licensed professional retained by LG
3. The licensed architect or engineer certifying a design component or element must conduct field inspection of its completion or installation



4. All statements are false

Architect and Engineer Approval and Inspection

G.S. 160A-412;153A-352



- ❑ Requires LG approval of designs and proposals for building construction elements, if sealed by licensed architect or engineer
 - ❑ Requires licensee (or someone under his/her supervision) to inspect work when completed and certify that it complies with code
 - ❑ Absolves LG inspector of any duty to inspect such elements
-

Which statement is not correct?

1. A building permit may be withheld for a parcel if the zoning compliance permit for it has not been issued
2. A building permit for one parcel may be withheld if the same contractor/applicant has failed to comply with the terms of a building permit for another parcel in the same subdivision



Withholding Building Permits or Certificates of Occupancy to Enforce Other Regulations/Laws

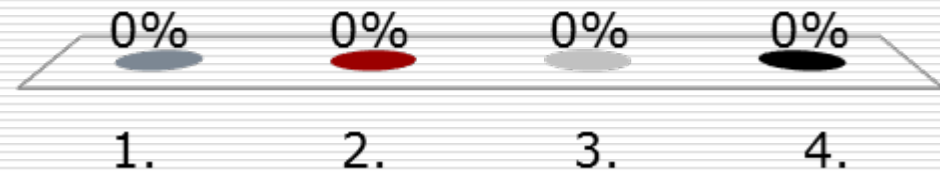
G.S.160A-412; 153A-352



- Prohibits LG from withholding building permit or CO in order to compel compliance with a regulation or law as it affects another property unless:
 - Specifically authorized by law, OR
 - LG determines that public safety requires such withholding

Which statement is not correct?

1. Each inspection department must provide an informal internal procedure for reviewing inspection decisions
2. The process will allow non-certified supervisors to make code interpretations
3. Each permit must include the phone number and email address of the supervisor of each inspector
4. The law requiring permit review procedures becomes effective Dec. 1, 2017.



Departments Must Provide for Internal Review of Inspector Decisions by Supervisor

G.S.160A-412; 153A-352



- Each inspection department must establish a process for allowing administrative review of decisions made by its inspectors
 - Each permit issued must refer to review process and provide name, phone number, and email address of the inspector's supervisor
 - Each department must report by January 15 the number of times process used and the outcomes
 - Requirement effective December 1
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See the following:

- North Carolina General Assembly website:
www.ncga.state.nc.us
- .

Thanks for your participation
and attention

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