

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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SENATE BILL 329
Second Edition Engrossed 5/5/21

Short Title: Building Code Modifications. (Public)

Sponsors: Senators Jarvis, Johnson, and Davis (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 23, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO EXEMPT CERTAIN SMALL PROJECTS FROM ARCHITECTURAL
3 BUILDING CODE AND BUILDING PERMIT REQUIREMENTS.

4 The General Assembly of North Carolina enacts:

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

6 "§ 83A-13. Exemptions.

7 ...

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

12 ...

13 (3) An institutional or commercial building if it does not have a total value
14 exceeding ~~two hundred thousand dollars (\$200,000);~~ three hundred thousand
15 dollars (\$300,000);

16 (4) An institutional or commercial building if the total building area does not
17 exceed 3,000 square feet in gross floor area;

18 ...

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

21 (1) ~~a~~ A commercial building project with a total value of less than two hundred
22 thousand dollars (\$200,000) three hundred thousand dollars (\$300,000) and a
23 total project area of less than 3,000 square feet shall be exempt from the
24 requirement for a professional architectural seal.

25 (2) Any alteration, remodeling, renovation, or repair of a commercial building
26 with a total value of less than three hundred thousand dollars (\$300,000).

27 (3) Any alteration, remodeling, renovation, or repair of a commercial building if
28 the total building area does not exceed 3,000 square feet in gross floor area.

29"

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

31 "(b21) Exclusion for Certain Minor Activities in Commercial Buildings and Structures. – No
32 permit shall be required under the Code or any local variance thereof approved under subsection
33 (e) for any construction, installation, repair, replacement, or alteration performed in accordance
34 with the current edition of the North Carolina State Building Code and the North Carolina Fire
35 Prevention Code costing twenty thousand dollars (\$20,000) or less in any commercial building



1 or structure unless the work involves any of the activities described in subdivisions (1)–(5) of
2 subsection (b5) of this section.

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

11 (1) The alteration, remodeling, renovation, or repair does not include the addition,
12 repair, or replacement of load-bearing structures.

13 (2) The alteration, remodeling, renovation, or repair is not subject to the
14 requirements of G.S. 133-1.1(a).

15 (3) The alteration, remodeling, renovation, or repair is performed in accordance
16 with the current edition of the North Carolina Fire Prevention Code."

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

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

25 (1) The alteration, remodeling, renovation, or repair does not include the addition,
26 repair, or replacement of load-bearing structures.

27 (2) The alteration, remodeling, renovation, or repair is not subject to the
28 requirements of G.S. 133-1.1(a)."

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

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

36 (1) The addition, repair, or replacement of load-bearing structures. However, no
37 permit is required for replacement of windows, doors, exterior siding, or the
38 pickets, railings, stair treads, and decking of porches and exterior decks.

39 (2) The addition or change in the design of plumbing. However, no permit is
40 required for replacements otherwise meeting the requirements of this
41 subsection that do not change size or capacity.

42 (3) The addition, replacement, or change in the design of heating,
43 air-conditioning, or electrical wiring, devices, appliances, or equipment, other
44 than like-kind replacement of electrical devices and lighting fixtures.

45 (4) The use of materials not permitted by the North Carolina ~~Residential Code for~~
46 ~~One and Two Family Dwellings~~ State Building Code.

47 (5) The addition (excluding replacement) of roofing."

48 **SECTION 5.** This act becomes effective October 1, 2021, and applies to
49 construction, installation, repair, replacement, remodeling, renovation, or alteration begun on or
50 after that date.