

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 967

Short Title: Allow Construction by Owner.

(Public)

Sponsors: Senators Ledbetter; Ballantine, Blust, Carpenter, Carrington, Clark, East, Forrester, Foxx, Garwood, Horton, Jenkins, McDaniel, Page, Shaw of Guilford, Webster, and Weinstein.

Referred to: Rules and Operations of the Senate.

April 17, 1997

A BILL TO BE ENTITLED

1 AN ACT TO PERMIT LANDOWNERS TO BUILD CERTAIN STRUCTURES ON
2 THEIR LAND WITHOUT HAVING TO EMPLOY A GENERAL CONTRACTOR.

3 The General Assembly of North Carolina enacts:

4 Section 1. G.S. 87-1 reads as rewritten:

5 **"§ 87-1. 'General contractor' defined; exceptions.**

6 For the purpose of this Article any person or firm or corporation who for a fixed price,
7 commission, fee, or wage, undertakes to bid upon or to construct or who undertakes to
8 superintend or manage, on his own behalf or for any person, firm, or corporation that is
9 not licensed as a general contractor pursuant to this Article, the construction of any
10 building, highway, public utilities, grading or any improvement or structure where the
11 cost of the undertaking is thirty thousand dollars (\$30,000) or more, or undertakes to
12 erect a North Carolina labeled manufactured modular building meeting the North
13 Carolina State Building Code, shall be deemed to be a "general contractor" engaged in
14 the business of general contracting in the State of North Carolina.

15 This section shall not apply to persons or firms or corporations furnishing or erecting
16 industrial equipment, power plant equipment, radial brick chimneys, and monuments.
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1 This section shall not apply to any ~~person or firm or corporation~~ person, firm, or
2 corporation who constructs or alters a building on land owned by that person, ~~firm~~ firm,
3 or corporation ~~provided such building is intended solely for occupancy by that person and his~~
4 ~~family, firm, or corporation after completion; and provided further that, if such building is not~~
5 ~~occupied solely by such person and his family, firm, or corporation for at least 12 months~~
6 ~~following completion, it shall be presumed that the person, firm, or corporation did not intend~~
7 ~~such building solely for occupancy by that person and his family, firm, or corporation.~~ if the
8 building is a single family dwelling, a multifamily dwelling having not more than four
9 units, a commercial building having not more than 4,000 square feet, or a storage facility
10 having individual compartments not larger than 150 square feet."

11 This section shall not apply to any person engaged in the business of farming who
12 constructs or alters a building on land owned by that person and used in the business of
13 farming, when such building is intended for use by that person after completion."

14 Section 2. This act is effective when it becomes law.