

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 1410
Committee Substitute Favorable 5/13/09

Short Title: Building Code Exclusion/Hot Water Heaters.

(Public)

Sponsors:

Referred to:

April 13, 2009

A BILL TO BE ENTITLED

AN ACT TO EXEMPT WATER HEATER REPLACEMENT IN RESIDENCES FROM BUILDING PERMITTING REQUIREMENTS WHEN THE HEATER IS OF THE SAME SIZE AND CAPACITY AND IS IN THE SAME LOCATION WITH RESPECT TO THE EXISTING WATER PIPING.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 153A-357 reads as rewritten:

"§ 153A-357. Permits.

(a) No person may commence or proceed with any of the following without first securing from the inspection department with jurisdiction over the site of the work each permit required by the State Building Code and any other State or local law or local ordinance or regulation applicable to the work:

- (1) The construction, reconstruction, alteration, repair, movement to another site, removal, or demolition of any ~~building;~~ building.
- (2) The installation, extension, or general repair of any plumbing ~~system;~~ system except that in any one- or two-family dwelling unit, a permit shall not be required for the connection of existing water piping to an electric water heater that is being replaced, provided that the replacement is in the same location and is of the same size and capacity as the original and is installed in accordance with the current edition of the State Building Code.
- (3) The installation, extension, alteration, or general repair of any heating or cooling equipment ~~system;~~ system.
- (4) The installation, extension, alteration, or general repair of any electrical wiring, devices, appliances, or equipment except that in any one- or two-family dwelling unit, a permit shall not be required for the connection of an existing branch circuit to an electric water heater that is being replaced, provided that the replacement is placed in the same location and is of the same size, capacity, and electrical rating as the original and is installed in accordance with the current edition of the State Building Code.

~~without first securing from the inspection department with jurisdiction over the site of the work each permit required by the State Building Code and any other State or local law or local ordinance or regulation applicable to the work.~~ A permit shall be in writing and shall contain a provision that the work done shall comply with the State Building Code and all other applicable State and local laws and local ordinances and regulations. Nothing in this section shall require a county to review and approve residential building plans submitted to the county pursuant to Section R-110 of Volume VII of the North Carolina State Building Code; provided that the county may review and approve such residential building plans as it deems necessary. No



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1 permit may be issued unless the plans and specifications are identified by the name and address
2 of the author thereof; and if the General Statutes of North Carolina require that plans for certain
3 types of work be prepared only by a registered architect or registered engineer, no permit may
4 be issued unless the plans and specifications bear the North Carolina seal of a registered
5 architect or of a registered engineer. If a provision of the General Statutes of North Carolina or
6 of any ordinance requires that work be done by a licensed specialty contractor of any kind, no
7 permit for the work may be issued unless the work is to be performed by such a duly licensed
8 contractor. No permit issued under Articles 9 or 9C of G.S. Chapter 143 shall be required for
9 any construction, installation, repair, replacement, or alteration costing five thousand dollars
10 (\$5,000) or less in any single-family residence or farm building unless the work involves: the
11 addition, repair or replacement of load bearing structures; the addition (excluding replacement
12 of same size and capacity) or change in the design of plumbing; the addition, replacement or
13 change in the design of heating, air conditioning, or electrical wiring, devices, appliances, or
14 equipment; the use of materials not permitted by the North Carolina Uniform Residential
15 Building Code; or the addition (excluding replacement of like grade of fire resistance) of
16 roofing. Violation of this section constitutes a Class 1 misdemeanor.

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18 **SECTION 2.** G.S. 160A-417 reads as rewritten:

19 **"§ 160A-417. Permits.**

20 (a) No person shall commence or proceed ~~with~~with any of the following without first
21 securing from the inspection department with jurisdiction over the site of the work any and all
22 permits required by the State Building Code and any other State or local laws applicable to the
23 work:

- 24 (1) The construction, reconstruction, alteration, repair, movement to another
25 site, removal, or demolition of any building or ~~structure,~~structure.
- 26 (2) The installation, extension, or general repair of any plumbing ~~system,~~system,
27 except that in any one- or two-family dwelling unit, a permit shall not be
28 required for the connection of existing water piping to an electric water
29 heater that is being replaced, provided that the replacement is in the same
30 location and is of the same size and capacity as the original and is installed
31 in accordance with the current edition of the State Building Code.
- 32 (3) The installation, extension, alteration, or general repair of any heating or
33 cooling equipment ~~system,~~or system.
- 34 (4) The installation, extension, alteration, or general repair of any electrical
35 wiring, devices, appliances, or equipment, except that in any one- or two-
36 family dwelling unit, a permit shall not be required for the connection of an
37 existing branch circuit to an electric water heater that is being replaced,
38 provided that the replacement is placed in the same location and is of the
39 same size, capacity, and electrical rating as the original and is installed in
40 accordance with the current edition of the State Building Code.

41 ~~without first securing from the inspection department with jurisdiction over the site of the work~~
42 ~~any and all permits required by the State Building Code and any other State or local laws~~
43 ~~applicable to the work.~~ A permit shall be in writing and shall contain a provision that the work
44 done shall comply with the State Building Code and all other applicable State and local laws.
45 Nothing in this section shall require a city to review and approve residential building plans
46 submitted to the city pursuant to Section R-110 of Volume VII of the North Carolina State
47 Building Code; provided that the city may review and approve such residential building plans
48 as it deems necessary. No permits shall be issued unless the plans and specifications are
49 identified by the name and address of the author thereof, and if the General Statutes of North
50 Carolina require that plans for certain types of work be prepared only by a registered architect
51 or registered engineer, no permit shall be issued unless the plans and specifications bear the

1 North Carolina seal of a registered architect or of a registered engineer. When any provision of
2 the General Statutes of North Carolina or of any ordinance requires that work be done by a
3 licensed specialty contractor of any kind, no permit for the work shall be issued unless the work
4 is to be performed by such a duly licensed contractor. No permit issued under Articles 9 or 9C
5 of Chapter 143 shall be required for any construction, installation, repair, replacement, or
6 alteration costing five thousand dollars (\$5,000) or less in any single family residence or farm
7 building unless the work involves: the addition, repair or replacement of load bearing
8 structures; the addition (excluding replacement of same size and capacity) or change in the
9 design of plumbing; the addition, replacement or change in the design of heating, air
10 conditioning, or electrical wiring, devices, appliances, or equipment; the use of materials not
11 permitted by the North Carolina Uniform Residential Building Code; or the addition (excluding
12 replacement of like grade of fire resistance) of roofing. Violation of this section shall constitute
13 a Class 1 misdemeanor.

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15 **SECTION 3.** This act becomes effective October 1, 2009.