

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

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PRINCIPAL CLERK

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SENATE DRS15161-LU-76 (03/05)

Short Title: Clarify Electric Load Control Process.

(Public)

Sponsors: Senator Brown (Primary Sponsor).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT FROM PERMITTING REQUIREMENTS PERSONS INSTALLING  
3 ELECTRIC LOAD CONTROL SWITCHES UNDER THE LAWS REGULATING  
4 ELECTRICAL CONTRACTORS AND TO MAKE CONFORMING CHANGES UNDER  
5 THE LAWS PERTAINING TO BUILDING INSPECTION PERMITS FOR COUNTIES  
6 AND CITIES.

7 The General Assembly of North Carolina enacts:

8 SECTION 1. G.S. 87-43.1 is amended by adding the following new subdivision to  
9 read:

10 "§ 87-43.1. Exceptions.

11 The provisions of this Article shall not apply:

12 ...

13 (8) To the installation, maintenance, or replacement of any modification, device,  
14 or equipment by a public utility, electric membership corporation, or  
15 municipal electric service provider or a business contracted by the public  
16 utility, electric membership corporation, or municipal service provider, so  
17 long as the work is subject to oversight by an electrical contractor licensed  
18 under this Article. The public utility, electric membership corporation, or  
19 municipal electric service provider shall provide service in accordance with  
20 (i) an activity or program ordered, authorized, or approved by the North  
21 Carolina Utilities Commission pursuant to G.S. 62-133.8 or (ii) a similar  
22 program undertaken by a municipal electric service provider, whether the  
23 installation, modification, or replacement is made before or after the point of  
24 delivery of electric service to the customer. The exemption under this  
25 subdivision applies to all existing installations."

26 SECTION 2. G.S. 153A-357(a) reads as rewritten:

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

- 31 (1) The construction, reconstruction, alteration, repair, movement to another  
32 site, removal, or demolition of any building.
- 33 (2) The installation, extension, or general repair of any plumbing system except  
34 that in any one- or two-family dwelling unit a permit shall not be required  
35 for the connection of a water heater that is being replaced, provided that the  
36 work is performed by a person licensed under G.S. 87-21, who personally



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1 examines the work at completion and ensures that a leak test has been  
2 performed on the gas piping, and provided the energy use rate or thermal  
3 input is not greater than that of the water heater which is being replaced,  
4 there is no change in fuel, energy source, location, capacity, or routing or  
5 sizing of venting and piping, and the replacement is installed in accordance  
6 with the current edition of the State Building Code.

7 (3) The installation, extension, alteration, or general repair of any heating or  
8 cooling equipment system.

9 (4) The installation, extension, alteration, or general repair of any electrical  
10 wiring, devices, appliances, or equipment except that in any one- or  
11 two-family dwelling unit a permit shall not be required for repair or  
12 replacement of electrical lighting fixtures or devices, such as receptacles and  
13 lighting switches, or for the connection of an existing branch circuit to an  
14 electric water heater that is being replaced, provided that all of the following  
15 requirements are met:

16 a. With respect to electric water heaters, the replacement water heater is  
17 placed in the same location and is of the same or less capacity and  
18 electrical rating as the original.

19 b. With respect to electrical lighting fixtures and devices, the  
20 replacement is with a fixture or device having the same voltage and  
21 the same or less amperage.

22 c. The work is performed by a person licensed under G.S. 87-43.

23 d. The repair or replacement installation meets the current edition of the  
24 State Building Code, including the State Electrical Code.

25 However, a permit is not required for the installation, maintenance, or replacement of any  
26 modification, device, or equipment by a public utility, electric membership corporation, or  
27 municipal electric service provider or a business contracted by the public utility, electric  
28 membership corporation, or municipal service provider, so long as the work is subject to  
29 oversight by an electrical contractor licensed under Article 4 of Chapter 87 of the General  
30 Statutes. The public utility, electric membership corporation, or municipal electric service  
31 provider shall provide service in accordance with (i) an activity or program ordered, authorized,  
32 or approved by the North Carolina Utilities Commission pursuant to G.S. 62-133.8 or (ii) a  
33 similar program undertaken by a municipal electric service provider, whether the installation,  
34 modification, or replacement is made before or after the point of delivery of electric service to  
35 the customer. The exemption applies to all existing installations.

36 (a1) A permit shall be in writing and shall contain a provision that the work done shall  
37 comply with the State Building Code and all other applicable State and local laws and local  
38 ordinances and regulations. Nothing in this section shall require a county to review and approve  
39 residential building plans submitted to the county pursuant to Section R-110 of Volume VII of  
40 the North Carolina State Building Code; provided that the county may review and approve such  
41 residential building plans as it deems necessary. No permit may be issued unless the plans and  
42 specifications are identified by the name and address of the author thereof; and if the General  
43 Statutes of North Carolina require that plans for certain types of work be prepared only by a  
44 registered architect or registered engineer, no permit may be issued unless the plans and  
45 specifications bear the North Carolina seal of a registered architect or of a registered engineer.  
46 If a provision of the General Statutes of North Carolina or of any ordinance requires that work  
47 be done by a licensed specialty contractor of any kind, no permit for the work may be issued  
48 unless the work is to be performed by such a duly licensed contractor. No permit issued under  
49 Articles 9 or 9C of G.S. Chapter 143 shall be required for any construction, installation, repair,  
50 replacement, or alteration costing five thousand dollars (\$5,000) or less in any single-family  
51 residence or farm building unless the work involves: the addition, repair or replacement of load

1 bearing structures; the addition (excluding replacement of same size and capacity) or change in  
2 the design of plumbing; the addition, replacement or change in the design of heating, air  
3 conditioning, or electrical wiring, devices, appliances, or equipment; the use of materials not  
4 permitted by the North Carolina Uniform Residential Building Code; or the addition (excluding  
5 replacement of like grade of fire resistance) of roofing. Violation of this section constitutes a  
6 Class 1 misdemeanor."

7 **SECTION 3.** G.S. 160A-417(a) reads as rewritten:

8 "(a) No person shall commence or proceed with any of the following without first  
9 securing from the inspection department with jurisdiction over the site of the work any and all  
10 permits required by the State Building Code and any other State or local laws applicable to the  
11 work:

- 12 (1) The construction, reconstruction, alteration, repair, movement to another  
13 site, removal, or demolition of any building or structure.
- 14 (2) The installation, extension, or general repair of any plumbing system except  
15 that in any one- or two-family dwelling unit a permit shall not be required  
16 for the connection of a water heater that is being replaced, provided that the  
17 work is performed by a person licensed under G.S. 87-21, who personally  
18 examines the work at completion and ensures that a leak test has been  
19 performed on the gas piping, and provided the energy use rate or thermal  
20 input is not greater than that of the water heater which is being replaced,  
21 there is no change in fuel, energy source, location, capacity, or routing or  
22 sizing of venting and piping, and the replacement is installed in accordance  
23 with the current edition of the State Building Code.
- 24 (3) The installation, extension, alteration, or general repair of any heating or  
25 cooling equipment system.
- 26 (4) The installation, extension, alteration, or general repair of any electrical  
27 wiring, devices, appliances, or equipment except that in any one- or  
28 two-family dwelling unit a permit shall not be required for repair or  
29 replacement of electrical lighting fixtures or devices, such as receptacles and  
30 lighting switches, or for the connection of an existing branch circuit to an  
31 electric water heater that is being replaced, provided that all of the following  
32 requirements are met:
  - 33 a. With respect to electric water heaters, the replacement water heater is  
34 placed in the same location and is of the same or less capacity and  
35 electrical rating as the original.
  - 36 b. With respect to electrical lighting fixtures and devices, the  
37 replacement is with a fixture or device having the same voltage and  
38 the same or less amperage.
  - 39 c. The work is performed by a person licensed under G.S. 87-43.
  - 40 d. The repair or replacement installation meets the current edition of the  
41 State Building Code, including the State Electrical Code.

42 However, a permit is not required for the installation, maintenance, or replacement of any  
43 modification, device, or equipment by a public utility, electric membership corporation, or  
44 municipal electric service provider or a business contracted by the public utility, electric  
45 membership corporation, or municipal service provider, so long as the work is subject to  
46 oversight by an electrical contractor licensed under Article 4 of Chapter 87 of the General  
47 Statutes. The public utility, electric membership corporation, or municipal electric service  
48 provider shall provide service in accordance with (i) an activity or program ordered, authorized,  
49 or approved by the North Carolina Utilities Commission pursuant to G.S. 62-133.8 or (ii) a  
50 similar program undertaken by a municipal electric provider, whether the installation,

1 modification, or replacement is made before or after the point of delivery of electric service to  
2 the customer. The exemption applies to all existing installations.

3 (a1) A permit shall be in writing and shall contain a provision that the work done shall  
4 comply with the State Building Code and all other applicable State and local laws. Nothing in  
5 this section shall require a city to review and approve residential building plans submitted to  
6 the city pursuant to Section R-110 of Volume VII of the North Carolina State Building Code;  
7 provided that the city may review and approve such residential building plans as it deems  
8 necessary. No permits shall be issued unless the plans and specifications are identified by the  
9 name and address of the author thereof, and if the General Statutes of North Carolina require  
10 that plans for certain types of work be prepared only by a registered architect or registered  
11 engineer, no permit shall be issued unless the plans and specifications bear the North Carolina  
12 seal of a registered architect or of a registered engineer. When any provision of the General  
13 Statutes of North Carolina or of any ordinance requires that work be done by a licensed  
14 specialty contractor of any kind, no permit for the work shall be issued unless the work is to be  
15 performed by such a duly licensed contractor. No permit issued under Articles 9 or 9C of  
16 Chapter 143 shall be required for any construction, installation, repair, replacement, or  
17 alteration costing five thousand dollars (\$5,000) or less in any single family residence or farm  
18 building unless the work involves: the addition, repair or replacement of load bearing  
19 structures; the addition (excluding replacement of same size and capacity) or change in the  
20 design of plumbing; the addition, replacement or change in the design of heating, air  
21 conditioning, or electrical wiring, devices, appliances, or equipment; the use of materials not  
22 permitted by the North Carolina Uniform Residential Building Code; or the addition (excluding  
23 replacement of like grade of fire resistance) of roofing. Violation of this section shall constitute  
24 a Class 1 misdemeanor."

25 **SECTION 4.** This act is effective when it becomes law.