

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2013

**H.B. 774**  
**Apr 10, 2013**  
**HOUSE PRINCIPAL CLERK**

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HOUSE DRH70280-MH-151 (03/20)

Short Title: Building Code Exclusion/Primitive Structures. (Public)

Sponsors: Representatives Jordan, McGrady, and Dollar (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO DIRECT THE BUILDING CODE COUNCIL TO ADOPT RULES  
3 EXEMPTING CERTAIN PRIMITIVE STRUCTURES FROM CERTAIN PROVISIONS  
4 OF THE BUILDING CODE.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Definitions. – As used in this act, "Council" means the Building  
7 Code Council, "Code" means the 2012 North Carolina Building Code, and "Primitive  
8 Structures Amendment" means the amendment to the Code currently being adopted by Council  
9 to address issues presented to the Council by the Turtle Island Preserve in Watauga County on  
10 behalf of primitive camps and wilderness learning facilities throughout the State.

11 **SECTION 2.** New Code Amendment. – Until the effective date of the Code  
12 amendment that the Council is required to adopt pursuant to Section 4 of this act, the Council  
13 and local governments enforcing the Code shall implement the Primitive Structures  
14 Amendment, as provided in Section 3 of this act.

15 **SECTION 3.** Implementation. – Notwithstanding any provision of the Code to the  
16 contrary, primitive structures and roof only structures as defined in the Primitive Structures  
17 Amendment and intended to be occupied only on a temporary basis shall be subject only to the  
18 following provisions of the Code, and additional life safety issues not addressed shall be  
19 mitigated by the code official:

- 20 (1) Structural stability. – The structures shall be evaluated to meet the interior  
21 and exterior loading requirements contained in Chapter 16 of the Code.  
22 (2) Clearance to combustibles. – Ignition sources such as fireplaces or stoves  
23 shall be separated from combustibles in accordance with Chapter 7 of the  
24 Code.  
25 (3) Fires. – Recreational fires shall be separated from the buildings in  
26 accordance with the Fire portion of the Code.  
27 (4) Egress. – A clear means of egress shall be maintained from each sleeping  
28 room.

29 **SECTION 4.** Additional Rule-Making Authority. – Notwithstanding  
30 G.S. 150B-19(4), the Commission shall adopt the Primitive Structures Amendment to be  
31 substantively identical to the provisions of Section 3 of this act. Rules adopted pursuant to this  
32 section are not subject to G.S. 150B-21.8 through G.S. 150B-21.14. Rules adopted pursuant to  
33 this section shall become effective as provided in G.S. 150B-21.3(b1) as though 10 or more  
34 written objections had been received as provided by G.S. 150B-21.3(b2).

35 **SECTION 5.** Sunset. – Section 3 of this act expires on the date that rules adopted  
36 pursuant to Section 4 of this act become effective.



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**SECTION 6.** This act is effective when it becomes law.