

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 131

AMENDMENT NO. A2
(to be filled in by
Principal Clerk)

S131-ASB-12 [v.7]

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Amends Title [NO]
Fourth Edition

Date _____, 2017

Representative Riddell

1 moves to amend the bill on page 2, line 44 through page 3, line 42,
2 by rewriting the lines to read:

3
4 **"CLARIFY PRIVATE DRINKING WATER WELL PERMITTING REQUIREMENTS**

5 **SECTION 1.3.(a)** G.S. 87-97 reads as rewritten:

6 **"§ 87-97. Permitting, inspection, and testing of private drinking water wells.**

7 (a) Mandatory Local Well Programs. – Each county, through the local health
8 department that serves the county, shall implement a private drinking water well permitting,
9 inspection, and testing program. The local health department shall be the exclusive authority
10 for the permitting of wells and well systems as described in G.S. 143-138(b17)(2). Local health
11 departments shall administer the program and enforce the minimum well construction,
12 permitting, inspection, repair, and testing requirements set out in this Article and rules adopted
13 pursuant to this Article. No person shall unduly delay or refuse to permit a well that can be
14 constructed or repaired and operated in compliance with the requirements set out in this Article
15 and rules adopted pursuant to this Article.

16 (a1) Use of Standard Forms. – Local well programs shall use the standard forms created
17 by the Department for all required submittals and shall not create their own forms.

18 (b) Permit Required. – Except for those wells required to be permitted by the
19 Environmental Management Commission pursuant to G.S. 87-88, no person shall:

20 (1) Construct or assist in the construction of a private drinking water well unless
21 a construction permit has been obtained from the local health department.

22 (2) Repair or assist in the repair of a private drinking water well unless a repair
23 permit has been obtained from the local health department, except that a
24 permit shall not be required for the repair or replacement of a pump or tank.

25 (b1) ~~Permit to Include Authorization for Piping and Electrical Inspections.~~ – When a
26 permit is issued under this section, the local health department shall be responsible for
27 notifying the appropriate building inspector of the issuance of the well permit. The appropriate
28 building inspector may request from the local health department the opportunity to inspect the
29 activities authorized by the permit. The inspection must be performed prior to the final
30 inspection performed by the local health department and the well contractor shall not be
31 required to be onsite for the inspection by the building inspector. If an inspection by a building
32 inspector after the final inspection has been performed by the local health department is



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1 determined to be necessary for the protection of public health, safety, or welfare, the local
2 building inspections department shall be responsible for (i) the additional costs for the
3 inspection and related activities necessary for the inspection and (ii) any damages to the well
4 system caused during the inspection.

5 (b2) Permit to Include Authorization for Piping and Electrical. – A permit issued under
6 this section shall also be deemed to include authorization for all of the following:

- 7 (1) The installation, construction, maintenance, or repair of electrical wiring,
8 devices, appliances, or equipment by a person certified as a well contractor
9 under Article 7A of this Chapter when running electrical wires from the well
10 pump to the pressure switch.
- 11 (2) The installation, construction, maintenance, or repair of water pipes by a
12 person certified as a well contractor under Article 7A of this Chapter when
13 running water pipes from the well to the water tank.
- 14 (3) The installation of both water pipes and electrical wiring in a single ditch by
15 a person certified as a well contractor under Article 7A of this Chapter when
16 running electrical wires from the well pump to the pressure switch and water
17 pipes from the well to the water tank. The ditch shall be as deep as the
18 minimum cover requirements for either electrical wiring or water pipes,
19 whichever is greater.

20 This subsection shall not be interpreted to prohibit any person licensed by an independent
21 occupational licensing board from performing any authorized services within the scope of
22 practice of the person's license.

23"

24 **SECTION 1.3.(b)** G.S. 143-138 is amended by adding a new subsection to read:

25 "**§ 143-138. North Carolina State Building Code.**

26 ...

27 (b17) Exclusion for Private Drinking Water Well Installation, Construction, Maintenance,
28 and Repair. – No permit shall be required under the Code or any local variant approved under
29 subsection (e) of this section for the electrical and plumbing activities associated with the
30 installation, construction, maintenance, or repair of a private drinking water well when all of
31 the following apply:

- 32 (1) The work is performed by a contractor certified under Article 7A of Chapter
33 87 of the General Statutes under the terms of a permit issued by the local
34 health department pursuant to G.S. 87-97.
- 35 (2) The scope of work includes only the connection or disconnection of a well
36 system to either the plumbing served by the well system or the electrical
37 service that serves the well system. For purposes of this subsection, a well
38 system includes the well, the pressure tank, the pressure switch, and all
39 plumbing and electrical equipment in the well and between the well,
40 pressure tank, and pressure switch.

41"

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SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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