

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

FILED SENATE  
Mar 22, 2021  
S.B. 329  
PRINCIPAL CLERK

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SENATE BILL DRS15149-MH-28

Short Title: Building Code Modifications. (Public)

Sponsors: Senators Jarvis, Johnson, and Davis (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT CERTAIN SMALL PROJECTS FROM ARCHITECTURAL  
3 BUILDING CODE AND BUILDING PERMIT REQUIREMENTS.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. G.S. 83A-13 reads as rewritten:

6 "§ 83A-13. Exemptions.

7 ...

8 (c) Nothing in this Chapter shall be construed to require an architectural license for the  
9 preparation, sale, or furnishing of plans, specifications and related data, or for the supervision of  
10 construction pursuant thereto, where the building, buildings, or project involved is in one of the  
11 following categories:

12 ...

13 (3) An institutional or commercial building if it does not have a total value  
14 exceeding ~~two hundred thousand dollars (\$200,000);~~ three hundred thousand  
15 dollars (\$300,000);

16 (4) An institutional or commercial building if the total building area does not  
17 exceed 3,000 square feet in gross floor area;

18 ...

19 (c1) Notwithstanding subdivisions (c)(3) and (4) of this section, all of the following shall  
20 be exempt from the requirement for a professional architectural seal:

21 (1) a-A commercial building project with a total value of less than ~~two hundred~~  
22 ~~thousand dollars (\$200,000)~~ three hundred thousand dollars (\$300,000) and a  
23 total project area of less than 3,000 square feet shall be exempt from the  
24 requirement for a professional architectural seal.feet.

25 (2) Any alteration, remodeling, renovation, or repair of a commercial building  
26 with a total value of less than three hundred thousand dollars (\$300,000).

27 (3) Any alteration, remodeling, renovation, or repair of a commercial building if  
28 the total building area does not exceed 3,000 square feet in gross floor area.

29 ...."

30 SECTION 2. G.S. 143-138 is amended by adding two new subsections to read:

31 "(b21) Exclusion for Certain Minor Activities in Commercial Buildings and Structures. – No  
32 permit shall be required under the Code or any local variance thereof approved under subsection  
33 (e) for any construction, installation, repair, replacement, or alteration performed in accordance  
34 with the current edition of the North Carolina State Building Code and costing twenty thousand  
35 dollars (\$20,000) or less in any commercial building or structure unless the work involves any of  
36 the activities described in subdivisions (1)–(5) of subsection (b5) of this section.



1       **(b22)** Limit Requirement for Certain Plans to be Under Professional Seal. – The North  
2 Carolina State Building Code shall not require that plans and specifications for any alteration,  
3 remodeling, renovation, or repair of a commercial building or structure be prepared by and under  
4 the seal of a registered architect licensed under Chapter 83A of the General Statutes, or a  
5 registered engineer licensed under Chapter 89C of the General Statutes, if the alteration,  
6 remodeling, renovation, or repair costs less than three hundred thousand dollars (\$300,000) or if  
7 the total building area does not exceed 3,000 square feet in gross floor area and all of the  
8 following apply:

9           (1) The alteration, remodeling, renovation, or repair does not include the addition,  
10 repair, or replacement of load-bearing structures.

11           (2) The alteration, remodeling, renovation, or repair is not subject to the  
12 requirements of G.S. 133-1.1(a)."

13       **SECTION 3.** G.S. 160D-1104 is amended by adding a new subsection to read:

14       "**(d1)** A local government may not enforce a local ordinance, resolution, or policy that  
15 requires that plans and specifications for any alteration, remodeling, renovation, or repair of a  
16 commercial building or structure be prepared by and under the seal of a registered architect  
17 licensed under Chapter 83A of the General Statutes, or a registered engineer licensed under  
18 Chapter 89C of the General Statutes, if the alteration, remodeling, renovation, or repair costs less  
19 than three hundred thousand dollars (\$300,000) or if the total building area does not exceed 3,000  
20 square feet in gross floor area and all of the following apply:

21           (1) The alteration, remodeling, renovation, or repair does not include the addition,  
22 repair, or replacement of load-bearing structures.

23           (2) The alteration, remodeling, renovation, or repair is not subject to the  
24 requirements of G.S. 133-1.1(a)."

25       **SECTION 4.** G.S. 160D-1110(c) is rewritten to read:

26       "**(c)** No permit issued under Article 9 or 9C of Chapter 143 of the General Statutes is  
27 required for any construction, installation, repair, replacement, or alteration performed in  
28 accordance with the current edition of the North Carolina State Building Code costing (i) fifteen  
29 thousand dollars (\$15,000) or less in any single-family residence or farm ~~building-building or~~ (ii)  
30 twenty thousand dollars (\$20,000) or less in any commercial building unless the work involves  
31 any of the following:

32           (1) The addition, repair, or replacement of load-bearing structures. However, no  
33 permit is required for replacement of windows, doors, exterior siding, or the  
34 pickets, railings, stair treads, and decking of porches and exterior decks.

35           (2) The addition or change in the design of plumbing. However, no permit is  
36 required for replacements otherwise meeting the requirements of this  
37 subsection that do not change size or capacity.

38           (3) The addition, replacement, or change in the design of heating,  
39 air-conditioning, or electrical wiring, devices, appliances, or equipment, other  
40 than like-kind replacement of electrical devices and lighting fixtures.

41           (4) The use of materials not permitted by the North Carolina ~~Residential Code for~~  
42 ~~One and Two Family Dwellings.~~ State Building Code.

43           (5) The addition (excluding replacement) of roofing."

44       **SECTION 5.** This act becomes effective October 1, 2021, and applies to  
45 construction, installation, repair, replacement, remodeling, renovation, or alteration begun on or  
46 after that date.