

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 1229
SENATE BILL 692

1 AN ACT AMENDING ARTICLE 9 OF CHAPTER 143 OF THE GENERAL STATUTES
2 RELATING TO THE STATE BUILDING CODE COUNCIL AND THE STATE
3 BUILDING CODE SO AS TO CLARIFY AND BRING UP TO DATE ITS PROVISIONS
4 IN LIGHT OF OPERATIONAL EXPERIENCE.
5

6 The General Assembly of North Carolina do enact:
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8 **Section 1.** Section 143-136 of the General Statutes, as the same appears in the 1967
9 Cumulative Supplement to Volume 3C, is amended by substituting the word "ten" for the word
10 "nine" in line 3; by inserting the words "one registered architect or licensed general contractor
11 specializing in residential design or construction," between the words "general contractor," and
12 the word "one" in line 4; by inserting the words "or county" between the word "municipal" and
13 the words "building inspector" in line 7; and by substituting the words "registered engineer on"
14 for the words "representative of in lines 8 and 9 of said section.

15 **Sec. 2.** Section 143-138 is amended by deleting the words in parentheses in lines
16 10-12 of subsection (b); by inserting the words "within its jurisdiction as defined in subsection
17 (e) below" between the word "buildings" and the colon at the end of line 21 of subsection (b);
18 by inserting the words "the American Insurance Association, formerly" between the words
19 "Code of and the words "the National Board" in line 6 of subsection (c); by inserting the words
20 "Life Safety Code, formerly" between the word "the" and the words "Building Exits" in line 10
21 of subsection (c); by substituting the words "American Insurance Association" for the words
22 "National Board of Fire Underwriters" in line 13 of subsection (c); by inserting the words "the
23 United States of America Standards Institute, formerly" between the words "promulgated by"
24 and the word "the" in line 14 of subsection (c).

25 **Sec. 3.** Subsection 143-138(b) is further amended by deleting the words "corporate
26 limits" in lines 31 and 32 and substituting therefor the words "building-regulation jurisdiction."
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28 **Sec. 4.** Subsection 143-138(e) is rewritten to read as follows:

29 "(e) Effect upon Local Building Codes. The North Carolina State Building Code shall
30 apply throughout the State, from the time of its adoption. However, any political subdivision of
31 the State may adopt a building code or building rules and regulations governing construction
32 within its jurisdiction. The territorial jurisdiction of any municipality or county for this purpose,
33 unless otherwise specified by a special or local act of the General Assembly, shall be as
34 follows: municipal jurisdiction shall include all areas within the corporate limits of the
35 municipality; county jurisdiction shall include all other areas of the county. No such building
36 code or regulations shall be effective until they have been officially approved by the Building
37 Code Council as providing adequate minimum standards to preserve and protect health and
38 safety, in accordance with the provisions of subsection (c) above. While it remains effective,
39 such approval shall be taken as conclusive evidence that a local code or local regulations
40 supersede the State Building Code in its particular political subdivision. Whenever the Building
41 Code Council adopts an amendment to the State Building Code, it shall consider any
42 previously-approved local regulations dealing with the same general matters, and it shall have
43 authority to withdraw its approval of any such local code or regulations unless the local
governing body makes such appropriate amendments to that local code or regulations as it may

1 direct. In the absence of approval by the Building Code Council, or in the event that approval is
2 withdrawn, local codes and regulations shall have no force and effect."

3 **Sec. 5.** Subsection 143-138(g) is amended by inserting the words "Judges of the
4 Court of Appeals....1 each" and "Clerk of the Court of Appeals.....1" immediately after line 29;
5 by substituting the words "Department of Administration" for the words "Budget Bureau" in
6 line 25; by substituting the words "North Carolina State University at Raleigh" for the words
7 "North Carolina State College of Agriculture and Engineering of the University of North
8 Carolina" in lines 42 and 43; by deleting the words "Woman's College of the University of
9 North Carolina....* 1" in line 44; by substituting the words "North Carolina Agricultural and
10 Technical State University" for the words "A & T College at Greensboro" in line 45; and by
11 adding the words "Chief Building Inspector of each incorporated municipality or county....* 1"
12 immediately following line 52 of said subsection.

13 **Sec. 6.** Subsection 143-138lhi is amended by adding the following at the end
14 thereof: "In case any building or structure is erected, constructed or reconstructed, or its
15 purpose altered, so that it becomes in violation of the North Carolina State Building Code,
16 either the local enforcement officer or the State Insurance Commissioner or other state official
17 with responsibility under G.S. 143-139 may, in addition to other remedies, institute any
18 appropriate action or proceedings (a) to prevent such unlawful erection, construction or
19 reconstruction, or alteration of purpose, (b) to restrain, correct, or abate such violation, or (c) to
20 prevent the occupancy or use of said building, structure, or land until such violation is
21 corrected."

22 **Sec. 7.** Section 160-141 is repealed and the following new Section 143-143.2 is
23 substituted therefor:

24 "**G.S. 143-143.2. Electric Wiring of Houses.** The electric wiring of houses or buildings for
25 lighting or for other purposes shall conform to the requirements of the State Building Code,
26 which includes the National Electric Code and any amendments and supplements thereto as
27 adopted and approved by the State Building Code Council, and any other applicable state and
28 local laws. In order to protect the property of citizens from the dangers incident to defective
29 electric wiring of buildings, it shall be unlawful for any firm or corporation to allow any
30 electric current for use in any newly erected building to be turned on without first having had
31 an inspection made of the wiring by the appropriate official Electrical Inspector or Inspection
32 Department and having received from that Inspector or Department a certificate approving the
33 wiring of such building. It shall be unlawful for any person, firm, or corporation engaged in the
34 business of selling electricity to furnish initially any electric current for use in any building,
35 unless said building shall have first been inspected by the appropriate official Electrical
36 Inspector or Inspection Department and a certificate given as above provided. In the event that
37 there is no legally appointed Inspector or Inspection Department with jurisdiction over the
38 property involved, the two preceding sentences shall have no force or effect."

39 **Sec. 8.** All laws and clauses of laws in conflict herewith are repealed to the extent
40 of such conflict.

41 **Sec. 9.** This Act shall become effective upon its ratification.

42 In the General Assembly read three times and ratified, this the 2nd day of July,
43 1969.