

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013**

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HOUSE BILL 774

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

Sponsors: Representatives Jordan, McGrady, Dollar, and Harrison (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Regulatory Reform.

April 11, 2013

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

The General Assembly of North Carolina enacts:

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

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

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

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

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



- 1 **SECTION 5.** Sunset. – Section 3 of this act expires on the date that rules adopted
- 2 pursuant to Section 4 of this act become effective.
- 3 **SECTION 6.** This act is effective when it becomes law.