

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

H.B. 774
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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.