

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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HOUSE BILL 761

Senate State Government, Local Government, and Personnel Committee Substitute
Adopted 7/10/97

Short Title: Hillsborough Inspection Contracts.

(Local)

Sponsors:

Referred to:

April 2, 1997

1 A BILL TO BE ENTITLED
2 AN ACT PERTAINING TO LOCAL LAWS IN ORANGE COUNTY.
3 The General Assembly of North Carolina enacts:

4 Section 1. G.S. 160A-413 reads as rewritten:
5 **"§ 160A-413. Joint inspection department; other arrangements.**

6 A city council may enter into and carry out contracts with another city, county, or
7 combination thereof under which the parties agree to create and support a joint inspection
8 department for the enforcement of State and local laws specified in the agreement. The
9 governing boards of the contracting parties are authorized to make any necessary
10 appropriations for this purpose.

11 In lieu of a joint inspection department, a city council may designate an inspector
12 from any other city or county to serve as a member of its inspection department with the
13 approval of the governing body of the other city or county, or may contract with an
14 individual who is not a city or county employee but who holds one of the applicable
15 certificates as provided in G.S. 160A-411.1 or ~~G.S. 153A-351.1.~~ G.S. 153A-351.1, or may
16 contract with the employer of an individual who holds one of the applicable certificates
17 for the services of that individual. The inspector, if designated from another city or
18 county under this section, shall, while exercising the duties of the position, be considered

1 a municipal employee. The city shall have the same potential liability, if any, for
2 inspections conducted by an individual who is not an employee of the city as it does for
3 an individual who is an employee of the city. The individual with whom the city
4 contracts shall have errors and omissions and other insurance coverage acceptable to the
5 city.

6 The city council of any city may request the board of county commissioners of the
7 county in which the city is located to direct one or more county building inspectors to
8 exercise their powers within part or all of the city's jurisdiction, and they shall thereupon
9 be empowered to do so until the city council officially withdraws its request in the
10 manner provided in G.S. 160A-360(g)."

11 Section 2. Notwithstanding G.S. 115C-517, the Chapel Hill/Carrboro School
12 Administrative Unit may construct a school on land that is located, in part, outside of the
13 boundaries of the local school administrative unit.

14 Section 2.1. Section 9-3 of the Charter of the Town of Carrboro, being
15 Chapter 476 of the 1987 Session Laws, reads as rewritten:

16 "**Section 9-3. Zoning Board of Adjustment.** The board of aldermen may create a
17 board of adjustment in accordance with the provisions of Article 19 of Chapter 160A of
18 the General Statutes. Such board shall be subject to all the provisions of general law
19 except that the board of aldermen may authorize the board of adjustment to decide any
20 matter before it either (i) upon a vote of a majority of the members present at a meeting
21 and not excused from voting, so long as a quorum ~~consisting of at least six members~~ is
22 present, or (ii) upon a vote of a four-fifths majority of the members present at a meeting
23 and not excused from voting, so long as a quorum ~~consisting of at least six members~~ is
24 present."

25 Section 2.2. Section 9-5 of the Charter of the Town of Carrboro, being
26 Chapter 476 of the 1987 Session Laws, reads as rewritten:

27 "**Section 9-5. Sprinkler Systems.** Notwithstanding any provision of the North
28 Carolina State Building Code or any general or local law to the contrary, the board of
29 aldermen may adopt an ordinance requiring that sprinkler systems be installed in all of
30 the following types of buildings constructed within the town or its extraterritorial
31 ~~planning jurisdiction: jurisdiction, including the portion of the joint planning area~~
32 authorized under Chapter 233 of the 1987 Session Laws wherein the Town of Carrboro
33 administers the State Building Code: (i) buildings in excess of 50 feet in height; (ii)
34 nonresidential buildings containing at least 5,000 square feet of floor surface area; ~~or~~ (iii)
35 buildings designed for assembly occupancy (as defined in the North Carolina State
36 Building Code) that accommodate more than 25 ~~people.~~ ~~people;~~ or (iv) multifamily
37 buildings having three or more dwelling units. ~~This ordinance applies.~~ An ordinance
38 adopted pursuant to this section may apply to existing buildings only to the extent and
39 under the circumstances that the provisions of the North Carolina State Building Code
40 apply to preexisting buildings."

41 Section 3. Section 1 of this act applies to the Town of Hillsborough only.
42 Section 2 of this act applies to the Chapel Hill/Carrboro School Administrative Unit only.

43 Section 4. This act is effective when it becomes law.