

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-407
HOUSE BILL 761

AN ACT PERTAINING TO LOCAL LAWS IN ORANGE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-413 reads as rewritten:

"§ 160A-413. Joint inspection department; other arrangements.

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

In lieu of a joint inspection department, a city council may designate an inspector from any other city or county to serve as a member of its inspection department with the approval of the governing body of the other city or county, or may contract with an individual who is not a city or county employee but who holds one of the applicable certificates as provided in G.S. 160A-411.1 or ~~G.S. 153A-351.1~~. G.S. 153A-351.1, or may contract with the employer of an individual who holds one of the applicable certificates for the services of that individual. The inspector, if designated from another city or county under this section, shall, while exercising the duties of the position, be considered a municipal employee. The city shall have the same potential liability, if any, for inspections conducted by an individual who is not an employee of the city as it does for an individual who is an employee of the city. The individual with whom the city contracts shall have errors and omissions and other insurance coverage acceptable to the city.

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

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

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

"Section 9-3. Zoning Board of Adjustment. The board of aldermen may create a board of adjustment in accordance with the provisions of Article 19 of Chapter 160A of

the General Statutes. Such board shall be subject to all the provisions of general law except that the board of aldermen may authorize the board of adjustment to decide any matter before it either (i) upon a vote of a majority of the members present at a meeting and not excused from voting, so long as a quorum ~~consisting of at least six members is~~ present, or (ii) upon a vote of a four-fifths majority of the members present at a meeting and not excused from voting, so long as a quorum ~~consisting of at least six members is~~ present."

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

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

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

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

In the General Assembly read three times and ratified this the 18th day of August, 1997.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives