

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

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HOUSE BILL 294

Short Title: Sampson: No Permit To Delinquent Taxpayers. (Local)

Sponsors: Representatives Bell and Langdon (Primary Sponsors).
For a complete list of Sponsors, see Bill Information on the NCGA Web Site.

Referred to: Government, if favorable, Finance.

March 10, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT SAMPSON COUNTY MAY PROHIBIT THE ISSUANCE
3 OF A PERMIT BY THE INSPECTIONS DEPARTMENT TO A PERSON WHO OWES
4 DELINQUENT PROPERTY TAXES.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 153A-357 reads as rewritten:

7 **"§ 153A-357. Permits.**

8 (a) No person may commence or proceed with any of the following without first
9 securing from the inspection department with jurisdiction over the site of the work each permit
10 required by the State Building Code and any other State or local law or local ordinance or
11 regulation applicable to the work:

12 (1) The construction, reconstruction, alteration, repair, movement to another
13 site, removal, or demolition of any building.

14 (2) The installation, extension, or general repair of any plumbing system except
15 that in any one- or two-family dwelling unit a permit shall not be required
16 for the connection of a water heater that is being replaced, provided that the
17 work is performed by a person licensed under G.S. 87-21, who personally
18 examines the work at completion and ensures that a leak test has been
19 performed on the gas piping, and provided the energy use rate or thermal
20 input is not greater than that of the water heater which is being replaced,
21 there is no change in fuel, energy source, location, capacity, or routing or
22 sizing of venting and piping, and the replacement is installed in accordance
23 with the current edition of the State Building Code.

24 (3) The installation, extension, alteration, or general repair of any heating or
25 cooling equipment system.

26 (4) The installation, extension, alteration, or general repair of any electrical
27 wiring, devices, appliances, or equipment except that in any one- or
28 two-family dwelling unit a permit shall not be required for repair or
29 replacement of electrical lighting fixtures or devices, such as receptacles and
30 lighting switches, or for the connection of an existing branch circuit to an
31 electric water heater that is being replaced, provided that all of the following
32 requirements are met:

33 a. With respect to electric water heaters, the replacement water heater is
34 placed in the same location and is of the same or less capacity and
35 electrical rating as the original.



- b. With respect to electrical lighting fixtures and devices, the replacement is with a fixture or device having the same voltage and the same or less amperage.
- c. The work is performed by a person licensed under G.S. 87-43.
- d. The repair or replacement installation meets the current edition of the State Building Code, including the State Electrical Code.

A permit shall be in writing and shall contain a provision that the work done shall comply with the State Building Code and all other applicable State and local laws and local ordinances and regulations. Nothing in this section shall require a county to review and approve residential building plans submitted to the county pursuant to Section R-110 of Volume VII of the North Carolina State Building Code; provided that the county may review and approve such residential building plans as it deems necessary. No permit may be issued unless the plans and specifications are identified by the name and address of the author thereof; and if the General Statutes of North Carolina require that plans for certain types of work be prepared only by a registered architect or registered engineer, no permit may be issued unless the plans and specifications bear the North Carolina seal of a registered architect or of a registered engineer. If a provision of the General Statutes of North Carolina or of any ordinance requires that work be done by a licensed specialty contractor of any kind, no permit for the work may be issued unless the work is to be performed by such a duly licensed contractor. No permit issued under Articles 9 or 9C of G.S. Chapter 143 shall be required for any construction, installation, repair, replacement, or alteration costing five thousand dollars (\$5,000) or less in any single-family residence or farm building unless the work involves: the addition, repair or replacement of load bearing structures; the addition (excluding replacement of same size and capacity) or change in the design of plumbing; the addition, replacement or change in the design of heating, air conditioning, or electrical wiring, devices, appliances, or equipment; the use of materials not permitted by the North Carolina Uniform Residential Building Code; or the addition (excluding replacement of like grade of fire resistance) of roofing. Violation of this section constitutes a Class 1 misdemeanor.

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- (c) (1) A county may by ordinance provide that a permit may not be issued under subsection (a) of this section to a person who owes delinquent property taxes, determined under G.S. 105-360, on property owned by the person. Such ordinance may provide that a building permit may be issued to a person protesting the assessment or collection of property taxes.
- (2) This subsection applies to Alexander, Alleghany, Anson, Bertie, Catawba, Chowan, Currituck, Davie, Gates, Greene, Lenoir, Lincoln, Iredell, Sampson, Stokes, Surry, Tyrrell, Wayne, and Yadkin Counties only.

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SECTION 2. This act is effective when it becomes law.