

HOUSE BILL NO. 1327

Introduced by

Representatives Kading, Laning, McWilliams, Schreiber-Beck, Skroch, Toman

1 A BILL for an Act to amend and reenact section 54-21.3-03 of the North Dakota Century Code,
2 relating to exceptions from inspections for home repairs performed by a homeowner.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 54-21.3-03 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **54-21.3-03. State building code.**

- 7 1. The department of commerce, in cooperation with the state building code advisory
8 committee, shall adopt rules to implement, amend, and periodically update the state
9 building code, which must consist of the international building, residential, mechanical,
10 and fuel gas codes.
- 11 2. The state building code advisory committee consists of:
- 12 a. Two representatives appointed by the North Dakota building officials association,
13 one of whom must be from a jurisdiction of fewer than ten thousand people.
- 14 b. One representative appointed by the North Dakota chapter of the American
15 institute of architects.
- 16 c. One representative appointed by the North Dakota society of professional
17 engineers.
- 18 d. One representative appointed by the North Dakota association of builders.
- 19 e. One representative appointed by the North Dakota association of mechanical
20 contractors.
- 21 f. One representative appointed by the associated general contractors.
- 22 g. A fire marshal appointed by the state fire marshal.
- 23 h. One individual appointed by the state electrical board.

- 1 3. The state building code advisory committee shall meet with the department of
2 commerce or a designee of the commissioner of commerce at least once each
3 calendar year to address proposed amendments to the state building code. The
4 department of commerce may not adopt an amendment to the state building code
5 unless the amendment is approved by a majority vote of:
- 6 a. One representative appointed by the North Dakota chapter of the American
7 institute of architects;
- 8 b. One representative appointed by the North Dakota society of professional
9 engineers;
- 10 c. One representative appointed by the North Dakota association of builders;
- 11 d. One representative appointed by the North Dakota association of mechanical
12 contractors;
- 13 e. One representative appointed by the associated general contractors; and
14 f. Representatives of eligible jurisdictions as established by administrative rule.
- 15 4. The state building code or a building code adopted by a city, township, or county may
16 not include a requirement that fire sprinklers be installed in a single family dwelling or
17 a residential building that contains no more than two dwelling units.
- 18 5. The state building code, plumbing code, electrical code, an equivalent code adopted
19 by a city, township, or county, or any local ordinance or regulation may not require an
20 inspection of a single-family home upon completion of an improvement to the home by
21 the owner, if the home is not used as rental property and the owner certifies to the
22 appropriate governing authority the improvement was made in compliance with the
23 applicable code.
- 24 6. The state building code, plumbing code, electrical code, or an equivalent code
25 adopted by a ~~political subdivision~~ city, township, or county must provide that a building
26 designed for and used as a school portable classroom may be constructed and
27 inspected as a temporary structure as defined by the state building code or may be
28 permitted as a permanent school portable classroom. The foundation system of such a
29 structure must comply with the recommendations of the manufacturer's engineering
30 report for a preengineered unit or a structural engineer's report. Frost-free footings
31 may not be required for a temporary structure that meets the requirements of the state

1 building code unless required by an engineering report. Temporary electrical and
2 plumbing installations may be allowed for any structure by the governmental entities
3 governing those areas of construction or the applicable codes.

4 ~~5.7.~~ For the purposes of manufactured homes, the state building code consists of the
5 manufactured homes construction and safety standards under 24 CFR 3280 adopted
6 pursuant to the Manufactured Housing Construction and Safety Standards Act
7 [42 U.S.C. 5401 et seq.].

8 ~~6.8.~~ The governing body of a city, township, or county that elects to administer and enforce
9 a building code shall adopt and enforce the state building code. However, the state
10 building code may be amended by cities, townships, and counties to conform to local
11 needs.

12 ~~7.9.~~ A modular residential structure or a prebuilt home placed in the state must be
13 constructed in compliance with the state building code. A modular residential structure
14 or a prebuilt home placed in a jurisdiction that has amended the state building code
15 must be constructed in compliance with the state building code and the amendments
16 adopted by that jurisdiction.