

HOUSE BILL NO. 1172

Introduced by

Political Subdivisions Committee

(At the request of the Office of Management and Budget)

1 A BILL for an Act to amend and reenact sections 18-08-12, 18-12-23, 18-12-25, 19-20.2-06.1,
2 and 54-21.3-03 of the North Dakota Century Code, relating to the state building code.

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

4 **SECTION 1. AMENDMENT.** Section 18-08-12 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **18-08-12. Annual fire inspection of state buildings and institutions.** An annual fire
7 inspection ~~shall~~ must be performed at each state institution and building. The state fire marshal
8 shall annually inspect the state penitentiary and the Missouri River correctional center, the
9 North Dakota youth correctional center, the state hospital, and san haven. The annual
10 inspection of all other state institutions and buildings ~~shall~~ must be made by the fire department
11 of the city or fire protection district in which the institution or building is located, at the direction
12 of the officer in charge of the institution or building, who shall prepare a report based upon the
13 findings of the fire inspection. The report, which ~~shall~~ must contain specifications of any
14 violations, ~~shall~~ must be submitted to the responsible board, agency, or commission and a copy
15 of the report ~~shall~~ must be submitted to the state fire marshal. If the report indicates that any
16 violations can be corrected within the current budget of the responsible board, agency, or
17 commission, action to correct the violations, unless good cause can be demonstrated to the
18 attorney general, ~~shall~~ must be initiated within thirty days of receipt of the report by the
19 responsible board, agency, or commission. For purposes of this section, a "fire inspection" is a
20 procedure performed in accordance with standards set forth in the uniform building code, ~~the~~
21 ~~code of the building officials and code administrators, or the code of the national fire protection~~
22 ~~association, or the state building code if those codes are superseded by the state building code.~~

23 **SECTION 2. AMENDMENT.** Section 18-12-23 of the North Dakota Century Code is
24 amended and reenacted as follows:

1 **18-12-23. Electrical.** All electrical wiring and apparatus must be installed in
2 accordance with the provisions of the state electrical law, rules, ~~and regulations and~~, local
3 ordinances, and the current edition of the National Electrical Code.

4 Electrical plans and specifications must be reviewed by the state electrical board upon
5 referral by the superintendent of public instruction, the state board of higher education, and the
6 state fire marshal, and complete inspection service with final certificate of compliance covering
7 the electrical installation must be made by the same agency or by the local inspection authority
8 where available.

9 All educational facilities must be provided with exit marking, illumination of means of
10 egress, and emergency lighting as provided for within the N.F.P.A. Life Safety Code, standard
11 101 edition, or similar standard incorporated in or corresponding to that of the state building
12 code as defined in section 54-21.3-03.

13 **SECTION 3. AMENDMENT.** Section 18-12-25 of the North Dakota Century Code is
14 amended and reenacted as follows:

15 **18-12-25. Reference data.** ~~The~~ Unless superseded by a specifically designated or
16 adopted code, the latest edition of the following data must be used as reference and as an aid
17 in the interpretation of this chapter:

- 18 1. Uniform Building Code - international conference of building officials.
- 19 2. The National Fire Codes - national fire protection association.
- 20 3. Uniform Mechanical Code - international conference of building officials except that
21 section 504(f) of the Uniform Mechanical Code is amended as provided in
22 subsection 1 of section 54-21.3-03.
- 23 4. National Electrical Code - national fire protection association.

24 If a different code addressing the same or similar material is adopted as part of the state
25 building code or other code by a statutorily authorized state agency then that code must be
26 applied to the interpretation of this chapter.

27 **SECTION 4. AMENDMENT.** Section 19-20.2-06.1 of the North Dakota Century Code
28 is amended and reenacted as follows:

29 **19-20.2-06.1. Pressure relief devices.** Bulk storage containers constructed according
30 to the American society of mechanical engineers code, or other applicable code adopted as
31 part of the state building code, and all nurse tanks, must be equipped with pressure relief

1 valves constructed according to the American society of mechanical engineers code and
2 capacity certified by the national board of boiler and pressure vessel inspectors. A pressure
3 relief valve using nonmetallic seats must be replaced every five years with a new valve meeting
4 the standards referenced in this section. A pressure relief valve using metallic seats must be
5 tested every five years in lieu of replacement, and repairs, if deemed necessary, must be made
6 by the valve manufacturer or by a safety valve repair organization having a valid "VR" certificate
7 of authorization for the repairs from the national board of boiler and pressure vessel inspectors.

8 **SECTION 5. AMENDMENT.** Section 54-21.3-03 of the 1997 Supplement to the North
9 Dakota Century Code is amended and reenacted as follows:

10 **54-21.3-03. State building code - Amendments.**

11 1. The state building code ~~consists of the Uniform Building Code with any existing~~
12 ~~supplements and the Uniform Mechanical Code with any existing supplements as~~
13 ~~referenced by the Uniform Building Code~~ must be adopted from the uniform codes
14 published by the international conference of building officials or the international
15 codes published by the international code council addressing buildings,
16 residences, or mechanical systems, and any related codes, except that section
17 504(f) of the Uniform Mechanical Code is amended to read as follows:

18 Section 504(f). LPG Appliances. under the mechanical code adopted:
19 Liquefied petroleum gas burning appliances, both automatically and manually
20 controlled, may be installed in basements or similar locations only if (a) the
21 appliances are of an American gas association-approved type and installed in
22 accordance with national fire protection association pamphlets 54 and 58, (b)
23 automatically controlled appliances are equipped with safety shutoff devices
24 of the complete shutoff type, and (c) gas piping has been pressure tested and
25 proven to be gastight.

26 The director of the office of management and budget shall adopt a code or codes
27 as the state building code by administrative rulemaking, and shall adopt rules to
28 implement, amend, and periodically update the state building code and may adopt
29 rules to amend the code.

30 2. For the purposes of manufactured homes, the state building code consists of the
31 manufactured homes construction and safety standards under 24 CFR 3280

- 1 adopted pursuant to the Manufactured Housing Construction and Safety Standards
2 Act [42 U.S.C. 5401 et seq.].
- 3 3. The governing body of a city, township, or county that elects to administer and
4 enforce a building code shall adopt and enforce the state building code. However,
5 the state building code may be amended by cities, townships, and counties to
6 conform to local needs.