

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-seventh
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1423

Introduced by

Representatives Carlson, M. Klein

Senators Stenehjem, Tollefson

1 A BILL for an Act to amend and reenact sections 18-12-25 and 54-21.3-03 of the North Dakota
2 Century Code, relating to the state building code; and to provide for transition.

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

4 **SECTION 1. AMENDMENT.** Section 18-12-25 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **18-12-25. Reference data.** The ~~latest edition of the~~ following data must be used as
7 reference and as an aid in the interpretation of this chapter:

- 8 1. ~~Uniform Building Code—international conference of~~ State building officials code.
- 9 2. The National Fire Codes - national fire protection association.
- 10 3. ~~Uniform Mechanical Code—international conference of building officials except that~~
11 ~~section 504(f) of the Uniform Mechanical Code is amended as provided in~~
12 ~~subsection 1 of section 54-21.3-03.~~
- 13 4. National Electrical Code - national fire protection association.

14 **SECTION 2. AMENDMENT.** Section 54-21.3-03 of the 1999 Supplement to the North
15 Dakota Century Code is amended and reenacted as follows:

16 **54-21.3-03. State building code –Amendments.**

- 17 1. ~~The state building code consists of the Uniform Building Code with any existing~~
18 ~~supplements and the Uniform Mechanical Code with any existing supplements as~~
19 ~~referenced by the Uniform Building Code, except that section 504(f) of the Uniform~~
20 ~~Mechanical Code is amended to read as follows:~~

21 ~~Section 504(f). LPG Appliances.~~

22 ~~Liquefied petroleum gas burning appliances, both automatically and manually~~
23 ~~controlled, may be installed in basements or similar locations only if (a) the~~
24 ~~appliances are of an American gas association approved type and installed in~~

1 ~~accordance with national fire protection association pamphlets 54 and 58, (b)~~
2 ~~automatically controlled appliances are equipped with safety shutoff devices~~
3 ~~of the complete shutoff type, and (c) gas piping has been pressure tested and~~
4 ~~proven to be gastight.~~

5 The director of the office of management and budget, in cooperation with the state
6 building code advisory committee, shall adopt rules to implement, amend, and
7 periodically update the state building code ~~and may adopt rules to amend the~~
8 ~~code~~, which must consist of the international building, residential, mechanical, and
9 fuel gas codes.

10 2. The state building code advisory committee consists of:

- 11 a. Two representatives appointed by the North Dakota building officials
12 association, one of whom must be from a jurisdiction of fewer than ten
13 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.

24 3. The state building code advisory committee shall meet with the director of the
25 office of management and budget or a designee of the director at least once each
26 calendar year to address proposed amendments to the state building code. The
27 director of the office of management and budget may not adopt an amendment to
28 the state building code unless the amendment is approved by a majority vote of:

- 29 a. One representative appointed by the North Dakota chapter of the American
30 institute of architects;

- 1 b. One representative appointed by the North Dakota society of professional
2 engineers;
- 3 c. One representative appointed by the North Dakota association of builders;
4 d. One representative appointed by the North Dakota association of mechanical
5 contractors;
- 6 e. One representative appointed by the associated general contractors; and
7 f. Representatives of eligible jurisdictions as established by administrative rule.
- 8 4. For the purposes of manufactured homes, the state building code consists of the
9 manufactured homes construction and safety standards under 24 CFR 3280
10 adopted pursuant to the Manufactured Housing Construction and Safety Standards
11 Act [42 U.S.C. 5401 et seq.].
- 12 ~~3.~~ 5. The governing body of a city, township, or county that elects to administer and
13 enforce a building code shall adopt and enforce the state building code. However,
14 the state building code may be amended by cities, townships, and counties to
15 conform to local needs.

16 **SECTION 3. TRANSITION.** The state building code in effect on January 1, 2001, must
17 remain in effect until publication of rules under section 54-21.3-03 to implement the
18 international building, residential, mechanical, and fuel gas codes as the state building code.