

Sixty-first
Legislative Assembly
of North Dakota

SENATE BILL NO. 2354

Introduced by

Senators Krebsbach, Bakke, Fischer

Representatives Conrad, Hawken, Martinson

1 A BILL for an Act to amend and reenact section 54-21.3-03 of the North Dakota Century Code,
2 relating to the state and local building codes.

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
9 state building code, which must consist of the international building, residential,
10 mechanical, 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
13 association, one of whom must be from a jurisdiction of fewer than ten
14 thousand people.
- 15 b. One representative appointed by the North Dakota chapter of the American
16 institute of architects.
- 17 c. One representative appointed by the North Dakota society of professional
18 engineers.
- 19 d. One representative appointed by the North Dakota association of builders.
- 20 e. One representative appointed by the North Dakota association of mechanical
21 contractors.
- 22 f. One representative appointed by the associated general contractors.
- 23 g. A fire marshal appointed by the state fire marshal.
- 24 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. Neither the state building code nor a building code adopted by a city, township, or
16 county may include a requirement that fire sprinklers be installed in a single family
17 dwelling or a residential building that contains no more than two dwelling units.

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

22 ~~5.~~ 6. The governing body of a city, township, or county that elects to administer and
23 enforce a building code shall adopt and enforce the state building code. However,
24 the state building code may be amended by cities, townships, and counties to
25 conform to local needs.

26 ~~6.~~ 7. A modular residential structure or a prebuilt home placed in the state must be
27 constructed in compliance with the state building code. A modular residential
28 structure or a prebuilt home placed in a jurisdiction that has amended the state
29 building code must be constructed in compliance with the state building code and
30 the amendments adopted by that jurisdiction.