

Tyrrell County
Annual Report on Revenues and Expenditures from Building Code Enforcement Program
As Required By General Statute 160D-1102, Section 9(a)
For Fiscal Year Ending June 30, 2023

Inspections Revenues	\$ 19,067
Inspections Expenditures	
Salaries and Benefits	\$ 86,825
Operating	10,457
Capital	<u>15,000</u>
Total Expenditures	\$ <u>112,282</u>
Inspections Revenues Over(Under) Expenditures	\$ <u><u>(93,215)</u></u>

REVENUE & EXPENDITURE STATEMENT

07/01/2022 To 06/30/2023

County of Tyrrell

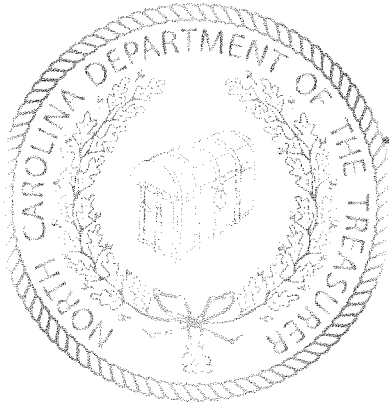
FY 2022-2023

*100 in the % Used column indicates that no budget exists

Account	Current Period (\$)	YTD (\$)	Budget (\$)	% Used
3435 Rev - Inspection				
Revenue				
SERVICES RENDERED	3,081.55	3,081.55	3,000.00	103
HOMEOWNERS RECOVERY FUND	0.00	0.00	75.00	0
BUILDING INSP/FEES	15,985.68	15,985.68	20,000.00	80
Revenue Subtotal	\$19,067.23	\$19,067.23	\$23,075.00	83
After Transfers	Excess Of Revenue Subtotal	\$19,067.23	\$23,075.00	83
4350 Building Inspections				
Expenditure				
FULL-TIME EMPLOYEE	59,595.42	59,595.42	59,994.00	99
LONGEVITY	1,332.96	1,332.96	1,335.00	100
LIFE INSURANCE	229.13	229.13	265.00	86
SOCIAL SECURITY	4,125.67	4,125.67	4,787.00	86
RETIREMENT	7,572.22	7,572.22	7,622.00	99
HEALTH INSURANCE	9,973.65	9,973.65	9,930.00	100
RETIREES - HEALTH STIPEND	1,241.16	1,241.16	1,242.00	100
Workers Comp	2,754.35	2,754.35	2,672.00	103
UNIFORM RENTAL	246.43	246.43	250.00	99
EQUIPMENT - OFFICE	98.79	98.79	270.00	37
AUTO - GAS	1,836.22	1,836.22	3,000.00	61
AUTO REPAIRS & MAINTENANCE	5,216.29	5,216.29	5,282.00	99
SUPPLIES	995.16	995.16	1,010.00	99
TRAVEL & STAFF DEVELOPMENT	1,104.90	1,104.90	2,430.00	45
TELECOMMUNICATIONS	620.24	620.24	700.00	89
POSTAGE	16.78	16.78	150.00	11
REPAIR - EQUIPMENT	0.00	0.00	53.00	0
MERCHANT FEES	322.67	322.67	300.00	108
HOMEOWNERS RECOVERY FUND	0.00	0.00	75.00	0
CAPITAL - AUTOMOBILE	15,000.00	15,000.00	15,000.00	100
Expenditure Subtotal	\$112,282.04	\$112,282.04	\$116,367.00	96
Before Transfers	Deficiency Of Revenue Subtotal	-\$112,282.04	-\$116,367.00	96
After Transfers	Deficiency Of Revenue Subtotal	-\$112,282.04	-\$116,367.00	96
GRAND TOTAL	-\$93,214.81	-\$93,214.81	-\$93,292.00	100

86,824.56

10,457.48



NORTH CAROLINA DEPARTMENT OF STATE TREASURER

DALE R. FOLWELL, CPA
STATE TREASURER



APRIL 18, 2023

Report on Fees from Building Code Enforcement Program

Each unit must fulfill this requirement through publication of its own report pursuant to the requirements of the law.

SL 2022-11 ([S372v6.pdf \(ncleg.gov\)](#)

(<https://www.ncleg.gov/Sessions/2021/Bills/Senate/PDF/S372v6.pdf>)), Section 9. (a) requires that every local government publish an annual financial report on how it used fees from the prior fiscal year for the support, administration, and implementation of its building code enforcement program as required by [G.S. 160D-402\(d\)](#);

(https://ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_160D/GS_160D-402.pdf) this report is due no later than October 1 of 2023, 2024, and 2025.

LGC staff has received a number of inquiries about this report, but we do not currently collect this information and therefore cannot report or provide this information for any local government. Each unit must fulfill this requirement through publication of its own report pursuant to the requirements of the law.

Any additional questions may be directed to SLGFD@nctreasurer.com
(<mailto:SLGFD@nctreasurer.com>).

Karen Gerhart

From: pmadej@nclm.org <ncfinanceconnect@listserv.unc.edu>
Sent: Friday, April 21, 2023 11:48 AM
To: NC Finance Connect Community
Subject: RE: [External] Re:[ncfinanceconnect] Report on Fees from Building Code Enforcement Program

Good morning, we have received a few inquiries around this at the League as well. To our knowledge, there does not exist any sort of official, standard template, and there is no formal submission to anyone in particular required based on 160D-1102(c):

“(c) No later than October 1 of 2023, 2024, and 2025, every local government shall publish an annual financial report on how it used fees from the prior fiscal year for the support, administration, and implementation of its building code enforcement program as required by G.S. 160D-402(d). This report is in addition to any other financial report required by law.”

Our suggestion would be to write up what your organization believes is a reasonable effort at answering the question of how you “used fees” and that uploading this to your website as a page or document should fulfill the requirement to “publish.” If we learn of any developments or hear otherwise, we will be sure to communicate this out.

Thanks,



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Research Program Manager

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From: jcrabtree@fuquay-varina.org <ncfinanceconnect@listserv.unc.edu>
Sent: Friday, April 21, 2023 10:21 AM
To: NC Finance Connect Community <ncfinanceconnect@listserv.unc.edu>
Subject: Re: [External] Re:[ncfinanceconnect] Report on Fees from Building Code Enforcement Program

I've seen no responses. I assume a published document on the website would suffice. A lot of info is already available in the annual financial & budget reports. I'm sure the effort to look at the current documents will not meet the requirement.

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Finance Director
Town of Fuquay-Varina
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requirements for (i) stormwater control design, installation, and maintenance at construction sites; (ii) permit applications to be submitted by operators of construction activity, including legal requirements for design and construction specifications to be included with permit applications; and (iii) transfer and termination of a builder, developer, or operator's obligations upon conveyance of property on which construction occurred. The Department shall report its findings, including recommendations for legislative action to streamline permitting of NCG01 applications, particularly any modifications to state sedimentation requirements that would result in a sedimentation and erosion control approval satisfying federal NCG01 permitting, to provide greater permitting efficiency within the regulated community, to the Environmental Review Commission no later than September 1, 2022.

BUILDING CODE AMENDMENTS

SECTION 8.(a) G.S. 143-140.1 reads as rewritten:

"§ 143-140.1. Appeals of alternative Alternative design construction and methods. methods; appeals.

The North Carolina Building Code Council shall, by January 1, 2023, promulgate rules, procedures, and policies for the approval of alternative designs and construction. Alternative designs and construction shall follow the State Building Code. In the event of a dispute between a local authority having jurisdiction and the designer or owner-representative regarding alternative designs and construction, and notwithstanding any other section within this Article, appeals by the designer or owner-representative on matters pertaining to alternative design construction or methods shall be heard by the Department of Insurance Engineering Division. The Department of Insurance Engineering Division shall issue its decision regarding an appeal filed under this section within 10 business days. The Commissioner of Insurance shall adopt rules in furtherance of this section."

SECTION 8.(b) Approved alternative designs and construction that are in effect at the time of the effective date of this act remain in effect.

SECTION 9.(a) G.S. 160D-1102 reads as rewritten:

"§ 160D-1102. Building code administration.

(a) A local government may create an inspection department and may appoint inspectors who may be given appropriate titles, such as building inspector, electrical inspector, plumbing inspector, housing inspector, zoning inspector, heating and air-conditioning inspector, fire prevention inspector, or deputy or assistant inspector, or another title generally descriptive of the duties assigned. Every local government shall perform the duties and responsibilities set forth in G.S. 160D-1104 either by (i) creating its own inspection department, (ii) creating a joint inspection department in cooperation with one or more other units of local government, pursuant to Part 1 of Article 20 of Chapter 160A of the General Statutes, (iii) contracting with another unit of local government for the provision of inspection services pursuant to Part 1 of Article 20 of Chapter 160A of the General Statutes, or (iv) arranging for the county in which a city is located to perform inspection services within the city's jurisdiction as authorized by G.S. 160D-1104 and G.S. 160D-202. Every local government shall designate a person responsible for the daily oversight of the local government's duties and responsibilities under G.S. 160D-1104.

(b) In the event that any local government fails to provide inspection services or ceases to provide inspection services, the Commissioner of Insurance shall arrange for the provision of inspection services, either through personnel employed by the department or through an arrangement with other units of government. In either event, the Commissioner has and may exercise within the local government's planning and development regulation jurisdiction all powers made available to the governing board with respect to building inspection under this Article and Part 1 of Article 20 of Chapter 160A of the General Statutes. Whenever the Commissioner has intervened in this manner, the local government may assume provision of inspection services only after giving the Commissioner two years' written notice of its intention

to do so; however, the Commissioner may waive this requirement or permit assumption at an earlier date upon finding that an earlier assumption will not unduly interfere with arrangements made for the provision of those services.

(c) No later than October 1 of 2023, 2024, and 2025, every local government shall publish an annual financial report on how it used fees from the prior fiscal year for the support, administration, and implementation of its building code enforcement program as required by G.S. 160D-402(d). This report is in addition to any other financial report required by law."

SECTION 9.(b) This section becomes effective October 1, 2022, and applies to financial reports due after that date.

MAXIMUM PARKING SPACE SIZE

SECTION 10.(a) G.S. 160D-702(c) reads as rewritten:

"(c) A zoning or other development regulation shall not set do any of the following:

- (1) Set a minimum square footage of any structures subject to regulation under the North Carolina Residential Code for One- and Two-Family Dwellings.
- (2) Set a maximum parking space size larger than 9 feet wide by 20 feet long unless the parking space is designated for handicap, parallel, or diagonal parking."

SECTION 10.(b) This section becomes effective October 1, 2022, and after that date any zoning or other development regulation inconsistent with G.S. 160D-702(c), as enacted by this act, is void and unenforceable.

NORTH CAROLINA HOME INSPECTOR LICENSURE BOARD REVISIONS

SECTION 11.(a) G.S. 143-151.45 reads as rewritten:

"§ 143-151.45. Definitions.

The following definitions apply in this Article:

- (1) Repealed by Session Laws 2009-509, s. 3.3, effective October 1, 2013. See note.
- (2) Board. – The North Carolina Home Inspector Licensure Board.
- (3) Compensation. – A fee or anything else of value.
- (4) Home inspection. – A written ~~evaluation~~ evaluation, based on observation or noninvasive testing, of two or more of the following components of a residential building: heating system, cooling system, plumbing system, electrical system, structural components, foundation, roof, masonry structure, exterior and interior components, or any other related residential housing component. Noninvasive testing means testing methods which do not result in any damage to a component or system, such as tearing, puncturing, or gouging, provided that probing a wood component or system to inspect for deterioration is permissible.
- (5) Home inspector. – An individual who engages in the business of performing home inspections for compensation.
- (6) Residential building. – A structure intended to be, or that is in fact, used as a residence by one or more individuals."

SECTION 11.(b) G.S. 143-151.58 reads as rewritten:

"§ 143-151.58. Duties of licensed home inspector.

(a) Home Inspection Report. – A licensed home inspector must give to each person for whom the inspector performs a home inspection for compensation a written report of the home inspection. The inspector must give the person the report by the date set in a written agreement by the parties to the home inspection. If the parties to the home inspection did not agree on a date in a written agreement, the inspector must give the person the report ~~within three~~ within:

- (1) Three business days after the inspection was performed.

§ 160D-402. Administrative staff.

(a) Authorization. – Local governments may appoint administrators, inspectors, enforcement officers, planners, technicians, and other staff to develop, administer, and enforce development regulations authorized by this Chapter.

(b) Duties. – Duties assigned to staff may include, but are not limited to, drafting and implementing plans and development regulations to be adopted pursuant to this Chapter; determining whether applications for development approvals are complete; receiving and processing applications for development approvals; providing notices of applications and hearings; making decisions and determinations regarding development regulation implementation; determining whether applications for development approvals meet applicable standards as established by law and local ordinance; conducting inspections; issuing or denying certificates of compliance or occupancy; enforcing development regulations, including issuing notices of violation, orders to correct violations, and recommending bringing judicial actions against actual or threatened violations; keeping adequate records; and any other actions that may be required in order adequately to enforce the laws and development regulations under their jurisdiction. A development regulation may require that designated staff members take an oath of office. The local government shall have the authority to enact ordinances, procedures, and fee schedules relating to the administration and the enforcement of this Chapter. The administrative and enforcement provisions related to building permits set forth in Article 11 of this Chapter shall be followed for those permits.

(c) Alternative Staff Arrangements. – A local government may enter into contracts with another city, county, or combination thereof under which the parties agree to create a joint staff for the enforcement of State and local laws specified in the agreement. The governing boards of the contracting parties may make any necessary appropriations for this purpose.

In lieu of joint staff, a governing board may designate staff from any other city or county to serve as a member of its staff with the approval of the governing board of the other city or county. A staff member, if designated from another city or county under this section, shall, while exercising the duties of the position, be considered an agent of the local government exercising those duties. The governing board of one local government may request the governing board of a second local government to direct one or more of the second local government's staff members to exercise their powers within part or all of the first local government's jurisdiction, and they shall thereupon be empowered to do so until the first local government officially withdraws its request in the manner provided in G.S. 160D-202.

A local government may contract with an individual, company, council of governments, regional planning agency, metropolitan planning organization, or rural planning agency to designate an individual who is not a city or county employee to work under the supervision of the local government to exercise the functions authorized by this section. The local government shall have the same potential liability, if any, for inspections conducted by an individual who is not an employee of the local government as it does for an individual who is an employee of the local government. The company or individual with whom the local government contracts shall have errors and omissions and other insurance coverage acceptable to the local government.

(d) Financial Support. – The local government may appropriate for the support of the staff any funds that it deems necessary. It shall have power to fix reasonable fees for support, administration, and implementation of programs authorized by this Chapter, and all such fees shall be used for no other purposes. When an inspection, for which the permit holder has paid a fee to the local government, is performed by a marketplace pool Code-enforcement official upon request of the Insurance Commissioner under G.S. 143-151.12(9)a., the local government shall promptly return to the permit holder the fee collected by the local government for such inspection. This subsection applies to the following types of inspection: plumbing, electrical systems,

general building restrictions and regulations, heating and air-conditioning, and the general construction of buildings. (2019-111, s. 2.4; 2020-3, s. 4.33(a); 2020-25, s. 51(a), (b), (d).)

Village of Pinehurst
Annual Report on Revenues and Expenditures from Building Code Enforcement Program
As Required By General Statute 1600 - 1102, Section 9(a)
For Fiscal Year Ending June 30, 2023

Inspections Revenues	\$ 307,427
Inspections Expenditures	
Salaries and Benefits	\$ 356,714
Operating	33,676
Capital	<u>57,065</u>
Total Expenditures	<u>\$ 447,455</u>
Inspections Revenues Over/(Under) Expenditures	<u><u>\$ (140,028)</u></u>

Used AS example

Due by 10/1/23

on Website
Financial Information - Annual Building Code Fees
6/30/23

Annual Financial Report - Bldg Code Enforcement Prog