

July 3, 2023

Honorable Roy Cooper
Governor
North Carolina Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

Via roy.cooper@nc.gov; original via U.S. Postal Service

Re: Request for VETO of NC HB 488 (Code Council Reorg. And Var. Code Amend.)

Dear Governor Cooper,

As residents, businesses, and organizations in North Carolina and nationally, we respectfully request that you veto HB 488 (Code Council Reorg. And Var. Code Amend.).

HB 488 would exacerbate existing restrictions on the state's ability to keep its building standards current and, in the process, risk jeopardizing the health and safety of North Carolinians. The bill would:

- Stall ongoing updates to the state's nearly decade old residential construction code, and risk freezing all or significant parts of that code until 2031, including provisions that prevent fires in homes and that enable cost saving mechanical system alternatives;
- Prohibit safety officials from inspecting building systems that protect against high winds and water intrusion;
- Enable a newly formed residential code committee to weaken existing, consensus, minimum life safety requirements in commercial and multi-family buildings resulting in substandard protection for North Carolina's citizens; and
- Block permit requirements for work scopes that can equate to more than a third of the average home value in parts of the state.

Per FEMA, the adoption and effective implementation of up-to-date building codes is one of the most effective means to mitigate communities against extreme weather.¹ For homes built along North Carolina's coast, current codes can provide up to \$32 in savings for every \$1 invested through hurricane risk mitigation.²

Building codes are updated every three years to keep pace with technological advancements, improvements in building science, methods, and best practices, as well as lessons learned post-disaster. In addition to incorporating new cost-saving materials and techniques, codes require protection against windborne debris and elevation of structures and critical systems from flooding. Following a weather-induced power outage, codes determine how long building occupants can shelter in place safely during

¹ https://www.fema.gov/sites/default/files/2020-11/fema_building-codes-save_brochure.pdf.

² <https://www.nibs.org/projects/natural-hazard-mitigation-saves-2019-report>.

intense periods of heat or cold. For these reasons, states that face extreme weather—including every other hurricane-prone state on the eastern seaboard from Maryland south except North Carolina—regularly update their building codes.

When disasters strike, the results of outdated building codes are clear: additional deaths, injuries, disaster suffering, property damage, emergency response costs, family displacement, longer recovery times and business closures. North Carolina’s existing prohibition on regular residential code updates has already hurt the state’s access to federal mitigation dollars. HB 488 sets the stage to disqualify North Carolina from any of the more than \$1.2 billion in U.S. Department of Energy funding currently available to support energy code updates and would put additional mitigation and recovery dollars at risk, as FEMA offers increased funding for communities that prioritize resiliency through the adoption and effective implementation of up-to-date codes.

HB 488 could also cost the state’s residents insurance premium reductions—including through FEMA’s Community Rating System for flood insurance—that are only available to communities with strong codes in place. Moreover, North Carolina’s residents should not be forced to pay new home prices for homes constructed to standards a decade or more out of date.

Faced with extreme weather that is only expected to increase in frequency and severity, HB 488 worsens the state’s already lagging code update process. For these reasons, we respectfully request that you veto HB 488 and allow the existing Building Code Council the ability to fulfil its mission and to continue forward with its current rulemaking process to update North Carolina’s state codes.

Thank you for your time and consideration in this matter.

Sincerely,

ABB
AEC Science & Technology, LLC
AIA North Carolina
American Chemistry Council
American Concrete Institute
American Council for an Energy-Efficient Economy
American Property Casualty Insurance Association
American Society of Civil Engineers
American Society of Heating, Refrigerating and Air-Conditioning Engineers
American Supply Association
Association of State Floodplain Managers
Building Performance Association
Concrete Masonry and Hardscapes Association
England Enterprises, LLC
Enterprise Community Partners
Flood Mitigation Industry Association
Floodproofing.com
Global Fireproof Solutions, Inc.
Institute for Market Transformation
Insurance Institute for Business & Home Safety
International Association of Structural Movers

International Code Council
Knauf Insulation
National Electrical Manufacturers Association
Natural Resources Defense Council
North American Insulation Manufacturers Association
North Carolina Building Inspectors Association
North Carolina Fire Marshals Association
North Carolina Floodplain Managers Association
North Carolina Mechanical Inspectors Association
North Carolina Permitting Personnel Association
North Carolina Plumbing Inspectors Association
North Carolina SMACNA
North Carolina State Firefighters' Association
Polyisocyanurate Insulation Manufacturers Association
Precast/Prestressed Concrete Institute
Sheet Metal and Air Conditioning Contractors' National Association (SMACNA)
Single Ply Roofing Industry
Smart Vent
Southeast Concrete Masonry Association
U.S. Green Building Council
UL

Cc: Claudia Shoemaker, Liaison, Office of the Governor (Claudia.shoemaker@nc.gov)
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