

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 477

Short Title: Temporary Event Venues. (Public)

Sponsors: Representatives Brody, Bradford, Faircloth, and Cunningham (Primary Sponsors).

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Local Government, if favorable, Rules, Calendar, and Operations of the House

April 1, 2021

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE A LOCAL GOVERNMENT TO PERMIT TEMPORARY EVENT
3 VENUES.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Part 1 of Article 9 of Chapter 160D of the General Statutes is amended
6 by adding a new section to read:

7 "**§ 160D-915.1. Temporary event venues authorized.**

8 (a) A local government may, by ordinance, establish a process to permit temporary event
9 venues as provided in this section. A temporary event venue shall be defined as an existing
10 publicly or privately owned building or structure suitable for use as a site for public or private
11 events relating to entertainment, education, marketing, meetings, sales, trade shows, and any
12 other activities or occasions that the local government may, by ordinance, authorize. A temporary
13 event shall be one lasting no longer than 72 hours.

14 (b) A local government may consider a temporary event venue as a permitted accessory
15 use in any of its zoning districts. Enactment of a temporary event venue ordinance and issuance
16 of a temporary event permit under this section shall not be considered a zoning map amendment
17 under this Article.

18 (c) Only one temporary event venue shall be allowed on a lot or parcel of land. The
19 temporary event venue permitted under this section shall not require a special use permit or be
20 subjected to any other local zoning requirements beyond those imposed upon other authorized
21 accessory use structures, except as otherwise provided in this section. Except as provided in
22 subsection (h) of this section, for each temporary event venue issued a permit under this section,
23 no more than 24 temporary events may be conducted in a calendar year.

24 (d) An ordinance authorizing temporary event venues shall set forth the following:

25 (1) The zoning districts within which a temporary event venue may lie.

26 (2) The process a person seeking a temporary event venue permit, or its renewal,
27 must follow.

28 (3) The specific criteria to be considered by the local government when
29 determining whether to issue a temporary event venue permit. The criteria
30 shall include the character of the district in which the permit is sought and the
31 site's suitability for use as a temporary event venue.

32 (4) The temporary events, not inconsistent with subsection (a) of this section,
33 authorized in the venue.

34 (5) The duration of the temporary event venue permit.



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1 (6) Any capacity limitations of the temporary event venue.

2 (7) The fee structure for the fees authorized by this section.

3 (8) Any other relevant matters.

4 (e) Any person proposing to operate a temporary event venue shall first obtain a permit
5 from the local government. The issuance of a temporary event venue permit shall not be
6 considered a quasi-judicial act. The local government may charge a fee of up to one hundred
7 dollars (\$100.00) for the initial permit and an annual renewal fee of up to fifty dollars (\$50.00).
8 Before issuing or renewing a temporary event venue permit, a local government shall conduct an
9 inspection of the proposed temporary event venue to ensure that the health, safety, and welfare
10 of the public will not be impaired by attendance at or participation in a temporary event. The
11 inspection shall address the general structural stability of the temporary event venue, its fire
12 safety, and whether it has sufficient toilet facilities taking into consideration its capacity.

13 (f) Subject to the provisions of this subsection, a local government may require the
14 permit applicant to take reasonable measures to address any safety or public health concerns
15 raised by the inspection conducted under subsection (e) of this section. No permit shall be
16 required under the North Carolina State Building Code or any local variant approved under
17 G.S. 143-138(e) for any construction, installation, repair, replacement, or alteration of a
18 temporary event venue either required by the local government as a result of the inspection
19 conducted under subsection (e) of this section or undertaken by the permittee to otherwise
20 improve the temporary event venue. A local government may require use of temporary toilet
21 facilities at temporary events. Nothing in this section shall be construed to exempt a temporary
22 event venue from compliance with federal laws, rules, or regulations.

23 (g) The Building Code Council may create an inspection checklist that may be used by
24 counties and cities for inspections conducted under subsection (e) of this section. Nothing shall
25 prohibit counties and cities from conducting inspections and issuing temporary event venue
26 permits prior to promulgation by the Building Code Council of the checklist.

27 (h) Nothing shall preclude a permittee operating under a temporary event venue permit
28 from seeking a rezoning of the parcel to a zoning district that would allow a permitted use of the
29 venue for events of the type authorized by a temporary event permit. Any such rezoning
30 application would be subject to the requirements of this Article. If a rezoning application is
31 submitted in good faith, a local government may authorize the temporary event venue to hold
32 more than 24 temporary events in one calendar year while the rezoning is pending. If the
33 temporary event venue is rezoned, the temporary event venue permit shall become void and the
34 venue shall operate under all rules, regulations, and requirements of law, including the North
35 Carolina State Building Code, any local variant under G.S. 143-138(e), and local government
36 ordinances.

37 (i) This section shall not apply to municipalities with a population under 100,000
38 according to the most recent decennial federal census."

39 **SECTION 2.(a)** G.S. 143-138 reads as rewritten:

40 **"§ 143-138. North Carolina State Building Code.**

41 ...

42 (b21) Exclusion for Temporary Event Venues. – No permit shall be required under the
43 North Carolina State Building Code or any local variant approved under subsection (e) of this
44 section for any construction, installation, repair, replacement, or alteration of a temporary event
45 venue issued a temporary event venue permit under G.S. 160D-915.1.

46 "

47 **SECTION 2.(b)** G.S. 160D-910 reads as rewritten:

48 **"§ 160D-910. Manufactured homes.**

49 ...

50 (b1) No permit shall be required under the North Carolina State Building Code or any local
51 variant approved under subsection (e) of this section for any construction, installation, repair,

1 replacement, or alteration of a temporary event venue issued a temporary event venue permit
2 under G.S. 160D-915.1.
3"
4 **SECTION 3.** This act becomes effective October 1, 2021.