

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
House Bill 252

AMENDMENT NO. A2  
(to be filled in by  
Principal Clerk)

H252-ABH-6 [v.2]

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Amends Title [NO]  
Second Edition

Date \_\_\_\_\_, 2017

Representative Faircloth

1 moves to amend the bill on page 5, lines 16 and 17, by rewriting the lines to read:

2  
3 "SECTION 8.(a) G.S. 143-138(b4) reads as rewritten:

4 "**§ 143-138. North Carolina State Building Code.**

5 ...

6 (b4) Exclusion for Certain Farm Buildings. – Building rules do not apply to (i) farm  
7 buildings that are located outside the building-rules jurisdiction of any municipality, (ii) farm  
8 buildings that are located inside the building-rules jurisdiction of any municipality if the farm  
9 buildings are ~~greenhouses, greenhouses or therapeutic equine facilities~~, (iii) a primitive camp, or  
10 (iv) a primitive farm building. For the purposes of this subsection:

11 (1) A "farm building" shall include:

12 a. Any structure used or associated with equine activities, including, but  
13 not limited to, the care, management, boarding, or training of horses  
14 and the instruction and training of riders. Structures that are  
15 associated with equine activities include, but are not limited to, free  
16 standing or attached sheds, barns, or other structures that are utilized  
17 to store any equipment, tools, commodities, or other items that are  
18 maintained or used in conjunction with equine activities. The specific  
19 types of equine activities, structures, and uses set forth in this  
20 subdivision are for illustrative purposes, and should not be construed  
21 to limit, in any manner, the types of activities, structures, or uses that  
22 may be considered under this subsection as exempted from building  
23 rules. A farm building that might otherwise qualify for exemption  
24 from building rules shall remain subject only to an annual safety  
25 inspection by the applicable city or county building inspection  
26 department of any grandstand, bleachers, or other spectator-seating  
27 structures in the farm building. An annual safety inspection shall  
28 include an evaluation of the overall safety of spectator-seating  
29 structures as well as ensuring the spectator-seating structure's  
30 compliance with any building codes related to the construction of  
31 spectator-seating structures in effect at the time of the construction of  
32 the spectator-seating.



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- 1                   b.       Any structure used for the display and sale of produce, no more than  
2                   1,000 square feet in size, open to the public for no more than 180  
3                   days per year, and certified by the Department of Agriculture and  
4                   Consumer Services as a Certified Roadside Farm Market.  
5                   c.       Any unoccupied structure built upon land owned by the State of  
6                   North Carolina and administratively allocated to the North Carolina  
7                   Department of Agriculture and Consumer Services or North Carolina  
8                   State University which is used primarily for forestry production and  
9                   research or agriculture production and research. The term  
10                  "agriculture" has the same meaning as in G.S. 106-581.1. The term  
11                  "unoccupied" does not exclude the keeping of livestock.  
12                  (1a)   A "farm building" shall not lose its status as a farm building because it is  
13                  used for public or private events, including, but not limited to, weddings,  
14                  receptions, meetings, demonstrations of farm activities, meals, and other  
15                  events that are taking place on the farm because of its farm or rural setting.  
16                  (2)   A "greenhouse" is a structure that has a glass or plastic roof, has one or more  
17                  glass or plastic walls, has an area over ninety-five percent (95%) of which is  
18                  used to grow or cultivate plants, is built in accordance with the National  
19                  Greenhouse Manufacturers Association Structural Design manual, and is not  
20                  used for retail sales. Additional provisions addressing distinct life safety  
21                  hazards shall be approved by the local building-rules jurisdiction.  
22                  (2a)   A "therapeutic equine facility" is an equine facility as described in  
23                  sub-subdivision (1)(a) of this subsection operated by an organization exempt  
24                  from federal income tax under section 501(c)(3) of the Internal Revenue  
25                  Code that provides therapeutic equine-related activities for persons who are  
26                  physically, intellectually, or emotionally challenged.  
27                  ...  
28                  ...."  
29                  **SECTION 8.(b)** This section is effective when the act becomes law.  
30                  **SECTION 9.** Except as otherwise provided, this act becomes effective October 1,  
31                  2017."

SIGNED \_\_\_\_\_  
Amendment Sponsor

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