

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021

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HOUSE BILL 477
PROPOSED COMMITTEE SUBSTITUTE H477-PCS10263-BDf-9

Short Title: Temporary Event Venues.

(Public)

Sponsors:

Referred to:

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 shall be one lasting no longer than 72
10 hours.

11 (b) As used in this section, the following definitions apply:

12 (1) Temporary event venue. – An existing publicly or privately owned building
13 or structure suitable for use as a site for public or private events relating to
14 entertainment, education, marketing, meetings, sales, trade shows, and any
15 other activities or occasions that the local government may, by ordinance,
16 authorize.

17 (2) Local government. – A municipality with a population of 100,000 or more
18 according to the most recent decennial federal census.

19 (c) A local government may consider a temporary event venue as a permitted accessory
20 use in any of its zoning districts. Enactment of a temporary event venue ordinance and issuance
21 of a temporary event permit under this section shall not be considered a zoning map amendment
22 under this Article.

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

29 (e) An ordinance authorizing temporary event venues shall set forth the following:

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

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

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



- 1 (4) The temporary events, not inconsistent with subdivision (b)(1) of this section,
2 authorized in the venue.
3 (5) The duration of the temporary event venue permit.
4 (6) Any capacity limitations of the temporary event venue.
5 (7) The fee structure for the fees authorized by this section.
6 (8) Any other relevant matters.

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

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

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

36 **SECTION 2** G.S. 143-138 reads as rewritten:

37 "**§ 143-138. North Carolina State Building Code.**

38 ...

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

43 "

44 **SECTION 3.** This act becomes effective October 1, 2021.