

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

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HOUSE BILL 603
Committee Substitute Favorable 5/2/23
PROPOSED COMMITTEE SUBSTITUTE H603-PCS40490-SVf-25

Short Title: Temporary Event Venues.

(Public)

Sponsors:

Referred to:

April 17, 2023

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE CERTAIN MUNICIPALITIES TO PERMIT TEMPORARY
3 EVENT 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 last no longer than 72 hours.

10 (b) The following definitions apply in this section:

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

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

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

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

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

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

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

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



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- 1 (4) The temporary events, not inconsistent with subdivision (b)(2) 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) A 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 is not a quasi-judicial
9 act. The local government may charge a fee of up to one hundred dollars (\$100.00) for the initial
10 permit and an annual renewal fee of up to fifty dollars (\$50.00). Before issuing or renewing a
11 temporary event venue permit, a local government shall conduct an inspection of the proposed
12 temporary event venue to ensure that the health, safety, and welfare of the public will not be
13 impaired by attendance at or participation in a temporary event. The inspection shall address the
14 general structural stability of the temporary event venue, its fire safety, and whether it has
15 sufficient toilet facilities taking into consideration its capacity. A temporary event venue may
16 provide temporary toilet facilities and is not required to construct permanent toilet facilities to
17 satisfy the requirements under this subsection.

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

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

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

38 **"§ 143-138. North Carolina State Building Code.**

39 ...

40 (b23) Exclusion for Temporary Event Venues. – No permit is required under the North
41 Carolina State Building Code or any local variant approved under subsection (e) of this section
42 for any construction, installation, repair, replacement, or alteration of a temporary event venue
43 issued a temporary event venue permit under G.S. 160D-915.1.

44 "

45 **SECTION 3.** This act becomes effective October 1, 2023.