

NORTH CAROLINA GENERAL ASSEMBLY  
1977 SESSION

CHAPTER 149  
SENATE BILL 170

AN ACT TO AMEND G.S. 18A-52 BY ADDING A NEW SUBSECTION DEFINING  
"RESTAURANT".

The General Assembly of North Carolina enacts:

**Section 1.** G.S. 18A-52 is hereby amended by adding a new subsection, subsection "(k)", which shall read as follows:

"(k) For the purposes of this section a 'restaurant' shall mean a business having a kitchen facility and a seating capacity of 36 persons or greater and which is engaged primarily and substantially in preparing and serving meals. Provided, that the State Board of Alcoholic Control shall have broad power to examine the type and nature of the business and the combination and location of separate or affiliated businesses at the same location to determine if the establishment is a bona fide restaurant."

**Sec. 2.** This act shall apply only to those counties or municipalities wherein elections are held under G.S. 18A-52 subsequent to the ratification of this act.

**Sec. 3.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 4th day of April, 1977.