



# HOUSE BILL 477: Temporary Event Venues.

2021-2022 General Assembly

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<b>Committee:</b>	House Rules, Calendar, and Operations of the House	<b>Date:</b>	June 16, 2021
<b>Introduced by:</b>	Reps. Brody, Bradford, Faircloth, Cunningham	<b>Prepared by:</b>	Billy R. Godwin Staff Attorney
<b>Analysis of:</b>	Second Edition		

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**OVERVIEW:** *House Bill 477 would authorize municipalities with a population of 100,000 or more to adopt an ordinance to establish a process to issue permits for temporary event venues and to charge \$100 fee for the initial permit.*

**CURRENT LAW:** Chapter 160D of the General Statutes contains the procedures cities and counties utilize for development approvals under their planning and development regulations. A development approval is a written administrative or quasi-judicial approval required to commence development or undertake a specific activity and includes zoning, special use and building permits, plat and site plan approvals, and variances (160D-102(13)). A development regulation is a unified development ordinance; a zoning, subdivision, erosion and sedimentation control, floodplain or flood damage prevention, mountain ridge protection, stormwater control, wireless telecommunication facility, historic preservation or landmark, or housing code regulation; State Building Code enforcement; or any other regulation adopted under Chapter 160D, local act or charter (160D-102(14)).

**BILL ANALYSIS:** House Bill 477 would authorize a municipality with a population of 100,000 or more, according to the most recent decennial federal census, to issue permits allowing existing public or private buildings or structures to be used as a temporary event venue for certain activities, including entertainment, education, marketing, meetings, sales, and trade shows. To issue the permit, a local government would first adopt a temporary event ordinance establishing the applicable zoning districts, application procedures, event type, site suitability, duration, and capacity, and permit fee. A temporary event venue permit:

- Is not considered a zoning map amendment.
- Is limited to one venue per parcel of land and no more than 24 events per calendar year.
- May last no more than 72 hours per event.
- Is subject to an initial \$100.00 fee and an annual \$50.00 renewal fee.
- Authorizes the local government to conduct a safety inspection of the venue.
  - The local government may require reasonable safety measures.
  - Building permits would not be required for venue modifications.
- Would not prohibit rezoning the property to convert the temporary use to a permitted use.
  - A rezoning petition filed in good faith would authorize local governments to allow more than 24 temporary events in a calendar year while the rezoning is pending.

**EFFECTIVE DATE:** The act would become effective on October 1, 2021.

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**BACKGROUND:** According to the 2010 decennial census, the following cities in North Carolina have a population greater than 100,000: Charlotte, Raleigh, Greensboro, Durham, Winston-Salem, Fayetteville, Cary, Wilmington, and High Point.

*Trina Griffin, Staff Attorney in the Legislative Analysis Division, substantially contributed to this summary.*