



HOUSE BILL 55: Public Exhibit of Fireworks/NCSU

2015-2016 General Assembly

Committee:	Senate State and Local Government	Date:	June 23, 2015
Introduced by:	Reps. Dollar, Langdon, Ross, D. Hall	Prepared by:	Brad Krehely
Analysis of:	First Edition		Committee Counsel

SUMMARY: *House Bill 55 exempts North Carolina State University (NCSU) from being required to obtain approval from the board of county commissioners to host pyrotechnic events on campus.*

CURRENT LAW: G.S. 14-410 prohibits the manufacture, sale, and use of pyrotechnics within the State except when all of the following apply:

- The exhibition, use, or discharge is at a concert or public exhibition.
- All individuals who exhibit, use, handle, or discharge pyrotechnics in connection with a concert or public exhibition have completed the training required under the law by the Office of the State Fire Marshal and are present at the event and personally direct all aspects of the pyrotechnics exhibition.
- The local permitting requirements of G.S. 14-413 are met.

G.S. 14-413 authorizes the board of county commissioners of a county, or the governing board of a city if the board of commissioners adopts a resolution granting authority to the city, to issue permits for the use of pyrotechnics at concerts or public exhibitions. Permits issued by the board of county commissioners are not required if the exhibition is authorized by one of the following:

- The University of North Carolina (UNC) or UNC-Chapel Hill and conducted on lands or in buildings owned by UNC or UNC-Chapel Hill.
- The University of North Carolina School of the Arts and conducted on lands or in buildings owned by the State and used by the School of the Arts.

For any indoor use of pyrotechnics at a concert or public exhibition, the board of commissioners or the governing body of an authorized city may not issue a permit unless the local fire marshal has certified that (i) adequate fire suppression will be used at the site, (ii) the structure is safe for the use of the pyrotechnics with the type of fire suppression to be used, and (iii) adequate egress from the building is available based on the size of the expected crowd. For any indoor use of pyrotechnics at a concert or public exhibition at the University of North Carolina or the University of North Carolina at Chapel Hill, the State Fire Marshal must certify the same requirements.

BILL ANALYSIS: House Bill 55 provides that local government permitting authority does not apply to concerts or exhibitions authorized by UNC or NCSU and conducted on University-owned lands or in University-owned buildings in Wake County. NCSU's exemption is identical to UNC's exemption in current law for University-owned lands and buildings in Orange County. Just like UNC, NCSU would still be required to obtain a State permit from the State Fire Marshal for pyrotechnic events, as this bill only exempts NCSU from also having to get permission from the board of county commissioners to host a pyrotechnic event in Wake County.

EFFECTIVE DATE: This act is effective when it becomes law.

Kelly Quick Tornow, Counsel to House Local Government, contributed substantially to this summary.

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