



# HOUSE BILL 477: Temporary Event Venues.

2021-2022 General Assembly

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<b>Committee:</b>	House Local Government. If favorable, re- refer to Rules, Calendar, and Operations of the House	<b>Date:</b>	April 13, 2021
<b>Introduced by:</b>	Reps. Brody, Bradford, Faircloth, Cunningham	<b>Prepared by:</b>	Billy R. Godwin Staff Attorney
<b>Analysis of:</b>	PCS to First Edition H477-CSBDf-9		

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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.*

*The proposed committee substitute (PCS) would add a definitions section to the bill; eliminate the requirement for the Building Code Council to create a venue inspection checklist; clarify that the act applies only to municipalities with a population of 100,000 or more; and eliminate duplicative language.*

**CURRENT LAW:** Chapter 160D of the General Statutes contains the processes and procedures local governments utilize for development approvals under their planning and development regulations. A local government is a city or county (160D-102(22)). 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:** The PCS to House Bill 477 would authorize any municipality with a population of 100,000 or more according to the most recent decennial federal census, to issue permits allowing, as an accessory use, existing public or private buildings or structures to be used as a temporary event venue for certain designated activities. To issue the permit, a local government would first adopt a temporary event ordinance establishing the applicable zoning districts, application procedures, event type, 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.

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- 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.

**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.