

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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HOUSE BILL 329
Committee Substitute Favorable 3/24/11

Short Title: Bldg. Codes/Expand Equine Exemption.

(Public)

Sponsors:

Referred to:

March 14, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO EXPAND THE EXEMPTION FROM BUILDING RULES FOR FARM
3 BUILDINGS TO INCLUDE FARM BUILDINGS USED FOR SPECTATOR EVENTS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 143-138(b4) reads as rewritten:

6 "(b4) Farm Exemption. – Building rules do not apply to (i) farm buildings that are located
7 outside the building-rules jurisdiction of any municipality, or (ii) farm buildings that are located
8 inside the building-rules jurisdiction of any municipality if the farm buildings are greenhouses.

9 For the purposes of this subsection:

10 (1) A "farm building" shall include any structure used or associated with equine
11 activities, including, but not limited to, the care, management, boarding, or
12 training of horses and the instruction and training of riders. Structures that
13 are associated with equine activities include, but are not limited to, free
14 standing or attached sheds, barns, or other structures that are utilized to store
15 any equipment, tools, commodities, or other items that are maintained or
16 used in conjunction with equine activities. The specific types of equine
17 activities, structures, and uses set forth in this subdivision are for illustrative
18 purposes, and should not be construed to limit, in any manner, the types of
19 activities, structures, or uses that may be considered under this subsection as
20 exempted from building rules. A farm building that might otherwise qualify
21 for exemption from building rules shall not be exempt if it is used for a
22 spectator event and more than 10 members of the public are present at the
23 farm building for the ~~event~~ event, unless the spectator event meets all of the
24 following requirements:

25 a. The event is temporary. For purposes of this subdivision,
26 "temporary" means that the spectator event and all other spectator
27 events in the building have a total duration of no more than 120
28 hours in any calendar year.

29 b. The person or organization responsible for the conduct of the event
30 establishes a fire watch for the duration of the event. For purposes of
31 this subdivision, a fire watch is an employee of the event or a
32 volunteer serving as staff for the event with no job duty other than to
33 monitor the building for fires or other emergency situations. The fire
34 watch must be provided with at least one method of contacting the
35 fire department in case of an emergency.

36 (2) A "greenhouse" is a structure that has a glass or plastic roof, has one or more
37 glass or plastic walls, has an area over ninety-five percent (95%) of which is



1 used to grow or cultivate plants, is built in accordance with the National
2 Greenhouse Manufacturers Association Structural Design manual, and is not
3 used for retail sales. Additional provisions addressing distinct life safety
4 hazards shall be approved by the local building-rules jurisdiction."

5 **SECTION 2.** This act is effective when it becomes law and applies to all farm
6 buildings, including farm buildings where construction either began or was completed prior to
7 the effective date of this act.