

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011

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HOUSE BILL 329  
Committee Substitute Favorable 3/24/11  
Third Edition Engrossed 4/6/11

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~~ 50 or more members of the public  
23 are present at the farm building for the ~~event.~~ event, unless the spectator  
24 event meets all of the following requirements:

25 A permit is issued by the fire marshal of the county in which the building  
26 is located to the owner or lessee of the property in accordance with G.S.  
27 153A-357. Approval shall be granted after the fire marshal has verified the  
28 temporary nature of the event, the outstanding unsafe conditions have been  
29 mitigated and a fire watch has been established. For purposes of this  
30 section, 'temporary' shall be defined as an event is held not more than four  
31 times per calendar year in the building and the period of continuous use does  
32 not exceed 24 hours.

33 (2) A "greenhouse" is a structure that has a glass or plastic roof, has one or more  
34 glass or plastic walls, has an area over ninety-five percent (95%) of which is  
35 used to grow or cultivate plants, is built in accordance with the National



1                                 Greenhouse Manufacturers Association Structural Design manual, and is not  
2                                 used for retail sales. Additional provisions addressing distinct life safety  
3                                 hazards shall be approved by the local building-rules jurisdiction."

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