

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  
Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted  
6/14/11  
Fifth Edition Engrossed 6/15/11

Short Title: Bldg. Codes/Expand Equine Exemption.

(Public)

Sponsors:

Referred to:

March 14, 2011

A BILL TO BE ENTITLED

AN ACT TO EXPAND THE EXEMPTION FROM BUILDING RULES FOR FARM BUILDINGS TO INCLUDE FARM BUILDINGS USED FOR SPECTATOR EVENTS.

The General Assembly of North Carolina enacts:

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

"(b4) Building rules do not apply to (i) farm buildings that are located outside the building-rules jurisdiction of any municipality, or (ii) farm buildings that are located inside the building-rules jurisdiction of any municipality if the farm buildings are greenhouses. For the purposes of this subsection:

- (1) A "farm building" shall include any structure used or associated with equine activities, including, but not limited to, the care, management, boarding, or training of horses and the instruction and training of riders. Structures that are associated with equine activities include, but are not limited to, free standing or attached sheds, barns, or other structures that are utilized to store any equipment, tools, commodities, or other items that are maintained or used in conjunction with equine activities. The specific types of equine activities, structures, and uses set forth in this subdivision are for illustrative purposes, and should not be construed to limit, in any manner, the types of activities, structures, or uses that may be considered under this subsection as exempted from building rules. ~~A farm building that might otherwise qualify for exemption from building rules shall not be exempt if it is used for a spectator event and more than 10 members of the public are present at the farm building for the event.~~ A farm building that might otherwise qualify for exemption from building rules shall remain subject only to an annual safety inspection by the applicable city or county building inspection department of any grandstand, bleachers, or other spectator-seating structures in the farm building. An annual safety inspection shall include an evaluation of the overall safety of spectator-seating structures as well as ensuring the spectator-seating structure's compliance with any building codes related to the construction of spectator-seating structures in effect at the time of the construction of the spectator-seating.



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1           (2)     A "greenhouse" is a structure that has a glass or plastic roof, has one or more  
2                   glass or plastic walls, has an area over ninety-five percent (95%) of which is  
3                   used to grow or cultivate plants, is built in accordance with the National  
4                   Greenhouse Manufacturers Association Structural Design manual, and is not  
5                   used for retail sales. Additional provisions addressing distinct life safety  
6                   hazards shall be approved by the local building-rules jurisdiction."

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