

The proposed amendment to rule 02 NCAC 20B .0103 will be published in the North Carolina Register on **4/16/18**.

The comment period ends 6/15/18. Written comments may be submitted during the open comment period to Tina Hlabse, Secretary, NC Board of Agriculture, 1001 Mail Service Center, 27699-1001, or tina.hlabse@ncagr.gov.

Any person may request a public hearing on the proposed rules by submitting a request in writing no later than 5/1/18 to Tina Hlabse, Secretary, NC Board of Agriculture, 1001 Mail Service Center, Raleigh, NC 27699-1001.

The amendment to remove paragraph(b) aligns the rule with current practices at the fair while allowing renters an effective way for advertising. Inclusion of this prohibition has a negative impact on the ability to rent space.

02 NCAC 20B .0103 is proposed for amendment as follows:

02 NCAC 20B .0103 ADVERTISING MATTER

(a) Distribution of advertising material or matter of any kind, nature, or description by concessionaires, exhibitors, patrons attending annual exhibitions on the State Fairgrounds, political parties, or by any other person or persons whomsoever, shall be, and the same hereby is, prohibited on the State Fairgrounds unless such distribution shall be within and from the assigned and designated space and shall have been first duly authorized by the State Fair Manager upon application thereto, and that advertising material or matter of any kind, nature or description shall be on the counter or display area and shall not be handed out unless a fair patron requests such materials. Promiscuous handing out of such material, even from designated areas, is strictly forbidden.

~~(b) The distribution in any manner of advertising material having a gummed or adhesive backing, such as labels, lapel badges, car bumper or window stickers, etc., whether such distribution shall be from a contracted exhibit or concession space or elsewhere, is prohibited upon the State Fair grounds. Persons or firms found distributing such materials shall immediately forfeit all space~~

~~right and, in addition, may be held financially responsible for any and all damage done to or occasioned by the State Fair as a result of these materials being affixed to State Fair property by third parties.~~

(e)(b) Operation of a sound truck or other mobile vehicle equipped with a public address system or sign, whether such vehicle is in motion or parked on the fair grounds, whether within or without the fenced-off area thereof, is hereby prohibited.

(d)(c) For the purpose of enforcing the provisions of this Section, it is hereby determined that the State Fair grounds shall consist of and constitute that certain area of land in Wake County bounded on the south by Hillsborough Street, on the east by Blue Ridge Boulevard, on the north by Trinity Road, and on the west by the Gov. James B. Hunt, Jr. Horse Complex, and includes the area without as well as within the fenced portion thereof.

(e)(d) The prohibitions and restrictions relating to advertising in these regulations shall not be construed as being applicable to lettered service trucks advertising a concern or its products while making necessary deliveries of merchandise or service to concessionaires or exhibitors on the State Fair grounds, or the normal small advertising on bumpers and windows of vehicles.

History Note: Authority G.S. 106-503;

Eff. February 1, 1976;

Amended Eff. October 1, 1993; July 17, 1981;

Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest

Eff. September 19, 2015.