

The proposed amendment to rule 02 NCAC 43L .0337 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](mailto: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.

This amendment lets the Western NC Ag Center manager allow reasonable, controlled access to alcohol sales and consumption at the year-round events held at the Western NC Ag Center annually. The amendment makes the rule identical to that for the NC State Fairgrounds and State Fair in regards to alcoholic beverages.

02 NCAC 43L .0337 is proposed for amendment as follows:

**02 NCAC 43L .0337 ALCOHOLIC BEVERAGES**

(a) ~~A person shall not possess any alcoholic beverage on Agricultural Center property except as permitted by the Agricultural Center Manager and in compliance with the rules of the North Carolina Alcoholic Beverage Control Commission.~~ The possession, sale, or consumption of any alcoholic beverage shall be in compliance with the state alcoholic beverage control laws set forth in G.S. 18B and rules set forth in 14B NCAC 15.

(b) ~~Alcoholic beverages shall not be sold during the annual North Carolina Mountain State Fair.~~ The sampling or sale of alcoholic beverages at an event on the Western NC Agricultural Center, including the Mountain State Fair, shall require approval by the Manager of the Western NC Agricultural Center or his or her designee in negotiation and at the time of the signing of the contract to rent the premises. In making this determination, the Manager of the Western NC Agricultural Center Manager shall consider the following factors:

- (1) the nature of the event;

- (2) the time of the event;
- (3) the number of attendees at the event;
- (4) the age of the attendees at the event;
- (5) prior history of the event;
- (6) other events on Western NC Agricultural Center property at that time;
- (7) security needed and available at the time of the event; and
- (8) the health, safety and welfare of all patrons on State Fair property.

*History Note: Authority G.S. 106-530; 106-6.1;*

*Eff. June 1, 1994;*

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

*Eff. September 23, 2017.*