

ORDINANCE NUMBER UDO-18-02

AN ORDINANCE AMENDING THE BRUNSWICK COUNTY  
UNIFIED DEVELOPMENT ORDINANCE

The Brunswick County Board of Commissioners in regular session duly assembled does hereby ordain:

The Brunswick County Unified Development Ordinance is hereby amended as follows:

- 1). Amend Article 5, Section 5.5.3, Temporary Use Permit Required as follows:

**5.5.3. Temporary Use Permit Required**

**G. Temporary Use Permit for Large Events with 1,000 Guests or More**

1. Temporary uses occurring on property outside of the public right-of-way with more than 1,000 guests shall obtain a large event temporary use permit. The permit shall outline conditions of operations to protect the public health, safety, and welfare. See Section 9.4.4. of this ordinance for the permitting process.
2. Large Events are limited to two (2) consecutive days. Hours of operation are limited to no earlier than 7:00 a.m. and no later than 11:00 p.m.
3. Prior to the submittal of the application, the applicant must schedule a meeting with the County for a Pre-Project Planning Session. The purpose of the session is to understand the project and clarify with the applicant the requirements and timeline for the project.
4. An application packet for a temporary use permit for a Large Event with 1,000 Guests or More shall include the following information.
  - i. A completed application and site plan that addresses all items in the Planning Department Commercial Development Check List.
  - ii. A completed Security Plan for the event, including Crowd Managers.
  - iii. A complete Traffic Control Plan.
  - iv. A completed plan addressing how each requirement outlined in Appendix F will be met.
  - v. A copy of the NCDOT Special Event Permit application submitted to the North Carolina Department of Transportation.
  - vi. A copy of the event notification submitted to the local fire and rescue departments.
  - vii. Proof of liability insurance.

2). Amend Section 6.12.6., Required Parking as follows:

<u>Use Category</u>	<u>Use</u>	<u>Spaces Required</u>
Temporary Use	Large Events with 1,000 Guests or More	1 per 4 attendees

3). Amend the title to Section 9.4.3., Temporary Use Permit, as follows:

9.4.3. Temporary Use Permit for Events with Less Than 1,000 Guests.

4). Add Section 9.4.4. as follows:

#### 9.4.4. Temporary Use Permit for Large Events with 1,000 Guests or More

##### A. Applicability

Temporary uses occurring on property outside of the public right-of-way with more than 1,000 guests shall obtain a large event temporary use permit from the Zoning Administrator. The permit shall outline conditions of operations to protect the public health, safety, and welfare subject to the standards of this Section.

B. A pre-application meeting is required prior to the submittal of an application. The Zoning Administrator will schedule the meeting for a time acceptable to the applicant and all potentially impacted agencies.

##### C. Permit Application

A completed *application for a large event temporary use permit shall be submitted to the Zoning Administrator a minimum of 90 days prior to the event*, and include the following:

1. All items outlined in Section 5.3.3.G.3. of this ordinance.
2. An application signed by the individual responsible for the event and each property owner whose property will be used in conjunction with the event.

##### D. Action by the Zoning Administrator

1. After receiving the application, the Zoning Administrator and other impacted staff shall have up to 30 days for the initial technical review of the application.
2. Following completion of technical reviews, the Zoning Administrator will respond to the applicant in writing. The applicant shall submit any other information needed for approval within two weeks.
3. A temporary use permit for a large-scale event shall be approved by the Zoning Administrator in consultation with the impacted parties, once all information has been reviewed and deemed acceptable to the County, subject to the following conditions:
  - i. The project shall proceed in conformity with all amended plans and design features submitted as part of the application and kept on file by the Planning Department.

- ii. No lighting or electrical service shall be provided without an electrical permit, which may include electrical plans and a scope of work;
- iii. No temporary use structure shall be erected without a building permit, which may include structural plans and a scope of work;
- iv. No temporary use structure shall block fire lanes or pedestrian or vehicular access;
- v. All inspection requests shall be submitted to Brunswick County Central Permitting 24-hours in advance. All final inspections shall be requested, inspected, and approved by Code Officials prior to 24-hours before the start of the event. Failure to obtain final approvals 24-hours prior to the start of the event may result in failure to obtain a certificate compliance to conduct the event.
- vi. The site shall be cleared of all debris at the end of the temporary use. All temporary structures shall be cleared within five days after the use is terminated.
- vii. Required parking for other uses shall remain available;
- viii. Adequate provisions for trash disposal and sanitary facilities shall be provided;
- ix. No person other than event staff or government employees shall willfully possess any weapon or any item reasonably capable of being so used at the event.
- x. Any authorized agent or representative of Brunswick County shall have the power to enter a special event upon any private property to inspect conditions relating to the enforcement of this event and any conditions imposed on a permit therein.

**E. Revocation of a Temporary Use Permit**

A temporary use permit shall be revoked if the Zoning Administrator finds that the terms of the permit have been violated or that there is a hazard to the public health, safety, and welfare. Nothing in this ordinance shall in any way limit the powers or duties of law enforcement in protecting the public safety.

**F. Appeal**

Final action on a temporary use permit may be appealed to the Board of Adjustment in accordance with Section 9.8, Appeal of Administrative Decisions.

**Appendix F: Requirements for Large Events with 1,000 Guests or More**

*Specific items are required by the codes for large events. To ensure that all items are addressed initially, a list of the items sorted by the entity that will enforce the requirement is provided. Please contact that entity directly if there are questions. The County reserves the right to add items to these requirements, based upon the type of event.*

## **Code Administration – Fire**

- A. All temporary membrane structures and tents with an area greater than 400 square feet must be approved by a Fire Code Official. An operational permit may be required by the North Carolina Fire Prevention Code.
- B. Tent permits are required for all tents.
- C. All air-inflated and/or air-supported structures to include but not limited to bounce houses, slides, air-inflated or support structures, etc. that are more than 400 square feet are subject to approval by a Fire Code Official. An operational permit may be required by the North Carolina Fire Prevention Code.
- D. All indoor and outdoor events are subject to a public safety plan where required by the North Carolina Fire Prevention Code.
- E. All public assemblies and events are subject to fire watch personnel where in the opinion of the Fire Code Official it would be essential for public safety in accordance with the North Carolina Fire Prevention code.
- F. All recreational fires to include but not limited to bon fires are subject to approval and an operational permit as required by the North Carolina Fire Prevention Code.
- G. All pyrotechnic special effects or firework displays are subject to mandatory permits as required by the North Carolina Fire Prevention Code.
- H. All stages, platforms, and other fixed structures are required to meet the North Carolina Fire Prevention Code in addition to the North Carolina Building Code.
- I. All carnival and fairs are subject to a mandatory permit as required by the North Carolina Fire Prevention Code.
- J. All special amusement buildings are subject to a mandatory permit as required by the North Carolina Fire Prevention Code.
- K. All exhibit and trade shows are subject to a mandatory permit as required by the North Carolina Fire Prevention Code.
- L. The quantity, size, location, and type of each fire extinguisher shall be provided in accordance with Section 906 of the North Carolina Fire Prevention Code.
- M. Adequate fire lanes, pedestrian or vehicular access, and handicap accessible routes must be provided inside the event.
- N. There shall be at least two (2) means of ingress and egress for vehicular traffic related to the event.
- O. Adequate crowd managers shall be provided as required by the NC Fire Code and addressed in the Event Security Plan.

## **Code Administration - Structures**

- A. All temporary structures shall include construction documents to include but not limited to a site plan, floor plan detailing means of egress, use, and occupant loads as required by the North Carolina Building Code.
- B. All temporary structures shall be in accordance with Section 602 of the North Carolina Building Code.

- C. All temporary structures shall conform to means of egress to a vehicle parking area of public way per Chapters 10, 11, and 31 of the North Carolina Building Code.
- D. Any stage or platform shall be in accordance with Section 410 of the North Carolina Building Code.
- E. Accessibility within the site or temporary structure shall be in accordance with Chapter 11 of the North Carolina Building Code.
- F. All temporary power shall be in accordance with the National Electrical Code.
- G. Pedestrian access and handicap accessible routes must be provided inside the event.

### **Emergency Services**

- A. Adequate medical personnel shall be provided. A minimum of one (1) ambulance and two (2) paramedics shall be present for the first one thousand (1,000) people and an additional set for every five hundred (500) people thereafter.

### **Environmental Health**

- A. Adequate bathrooms shall be provided. The minimum shall be two (2) seats and one (1) sink for every 100 individuals up to 500 individuals. After 500 individuals, the minimum is one (1) seat and one (1) sink for every 100 individuals.

*Commentary: Should the event exceed 5,000 individuals; state law requirements are more stringent. Please contact Brunswick County Health Services.*

- B. All food service shall be appropriately permitted through Brunswick County Environmental Health.

### **Planning**

- A. Provide a site plan that addresses each item listed in the Commercial Development Checklist. Place “not applicable” beside any item on the check list that you feel does not apply to the specific event.

### **Office of the Sheriff**

- A. Submit a detailed Event Security Plan.
- B. Submit a detailed Traffic Control Plan.
- C. The event shall comply with the Brunswick County Noise Ordinance. Address in the application how compliance with the ordinance will occur.