

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 555  
Committee Substitute Favorable 6/3/93

Short Title: Food Inspection/Private Clubs.

(Public)

Sponsors:

Referred to:

March 25, 1993

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT PRIVATE CLUBS SHALL BE SUBJECT TO FOOD INSPECTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-247(2) reads as rewritten:

"(2) 'Private club' means an establishment which maintains selective members, is operated by the membership, does not provide food or lodging for pay to anyone who is not a member or a member's ~~guest, and is not profit oriented.~~ guest."

Sec. 2. G.S. 130A-248(a) reads as rewritten:

"(a) For the protection of the public health, the Commission shall adopt rules governing the sanitation of restaurants, school cafeterias, summer camps, food or drink stands, sandwich manufacturing operations, mobile food units, ~~pushearts~~ pushcarts, private clubs, and other facilities where food or drink is prepared or served for pay. However, any facility where food or drink is prepared or served to the public, regardless of pay, shall be subject to the provisions of this Article if the facility holds an ABC ~~permit, permit and~~ meets the definition of an establishment pursuant to G.S. 18B-1000(2), (4), (5), or (6) and does not meet the definition of a private club as provided in G.S. 130A-247(2) or (6)."

Sec. 3. G.S. 130A-250 reads as rewritten:

**"§ 130A-250. Exemptions.**

This Part shall not apply to: (i) facilities which provide food or lodging to regular boarders or permanent house guests only; ~~(ii) private clubs;~~ ~~(iii)~~ (ii) curb markets

1 operated by the State Agricultural Extension Service; ~~(iv)~~(iii) occasional fund-raising  
2 events conducted by the same person no more frequently than two consecutive days  
3 every month; and (iv) private homes that occasionally offer lodging accommodations,  
4 which may include the providing of food, for two weeks or less to persons attending  
5 special events, provided those homes are not bed and breakfast homes nor bed and  
6 breakfast inns. A mobile food unit or pushcart shall be operated in conjunction with a  
7 permitted restaurant."

8           Sec. 4. There is appropriated from the General Fund to the Department of  
9 Environment, Health, and Natural Resources the sum of two hundred thousand dollars  
10 (\$200,000) for the 1993-94 fiscal year and the sum of two hundred thousand dollars  
11 (\$200,000) for the 1994-95 fiscal year to assist local health departments in carrying out  
12 the sanitation inspections required by Section 1 of this act. These funds shall be in  
13 addition to other funds appropriated to the Department for environmental health aid-to-  
14 counties purposes. The Department shall allocate the funds appropriated under this  
15 section to the counties based upon the number of private clubs in each county to be used  
16 to supplement, but not supplant, funds for local food establishment inspections by local  
17 health departments.

18           Sec. 5. Section 4 of this act becomes effective July 1, 1993. The remainder of  
19 this act becomes effective January 1, 1994.