

concessionaires or exhibitors on the State Fair grounds, or the normal small advertising on bumpers and windows of vehicles.

Authority G.S. 106-503.

Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Agriculture intends to amend the rule cited as 02 NCAC 43L .0337.

Link to agency website pursuant to G.S. 150B-19.1(c):
<http://www.ncagr.gov/AdministrativeRules/ProposedRules/index.htm>

Proposed Effective Date: August 1, 2018

Instructions on How to Demand a Public Hearing: *(must be requested in writing within 15 days of notice): Any person may request a public hearing on the proposed rules by submitting a request in writing no later than May 1, 2018 to Tina Hlabse, Secretary, NC Board of Agriculture, 1001 Mail Service Center, Raleigh, NC 27699-1001.*

Reason for Proposed Action: *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.*

Comments may be submitted to: Tina Hlabse, 1001 Mail Service Center, Raleigh, NC 27699-1001; email tina.hlabse@ncagr.gov

Comment period ends: June 15, 2018

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact (check all that apply).

- ☐ State funds affected
- ☐ Environmental permitting of DOT affected
- ☐ Analysis submitted to Board of Transportation
- ☐ Local funds affected

- ☐ Substantial economic impact (≥\$1,000,000)
- ☐ Approved by OSBM
- ☒ No fiscal note required by G.S. 150B-21.4

CHAPTER 43 - MARKETS

SUBCHAPTER 43L - MARKETS

SECTION .0300 - FEES: WESTERN NORTH CAROLINA HORSE AND LIVESTOCK FACILITY FEE SCHEDULE

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.

Authority G.S. 106-530; 106-6.1.

TITLE 21 – OCCUPATIONAL LICENSING BOARDS AND COMMISSIONS

CHAPTER 06 – BOARD OF BARBER EXAMINERS

Notice is hereby given in accordance with G.S. 150B-21.2 that the Board of Barber Examiners intends to amend the rule cited as 21 NCAC 06F .0101.

Link to agency website pursuant to G.S. 150B-19.1(c):
<https://www.ncbarbers.com/news.html>

Proposed Effective Date: August 1, 2018

Public Hearing:
Date: May 3, 2018

Time: 10:00 a.m.

Location: North Carolina Board of Barber Examiners, 5809 Departure Drive, Suite 102, Raleigh, NC 27616

Reason for Proposed Action: *The amendment would allow barber schools located within jail or prison facilities to have a minimum of three rather than ten barber chairs.*

Comments may be submitted to: Dennis Seavers, 5809 Departure Drive, Suite 102, Raleigh, NC 27616; fax (919) 981-5068; email dseavers@ncbarbers.com

Comment period ends: June 15, 2018

Procedure for Subjecting a Proposed Rule to Legislative Review:

If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule. If the Rules Review Commission receives written and signed objections after the adoption of the Rule in accordance with G.S. 150B-21.3(b2) from 10 or more persons clearly requesting review by the legislature and the Rules Review Commission approves the rule, the rule will become effective as provided in G.S. 150B-21.3(b1). The Commission will receive written objections until 5:00 p.m. on the day following the day the Commission approves the rule. The Commission will receive those objections by mail, delivery service, hand delivery, or facsimile transmission. If you have any further questions concerning the submission of objections to the Commission, please call a Commission staff attorney at 919-431-3000.

Fiscal impact (check all that apply).

- ☐ State funds affected
- ☐ Environmental permitting of DOT affected
- ☐ Analysis submitted to Board of Transportation
- ☐ Local funds affected
- ☐ Substantial economic impact (≥\$1,000,000)
- ☐ Approved by OSBM
- ☒ No fiscal note required by G.S. 150B-21.4

SUBCHAPTER 06F – BARBER SCHOOL

SECTION .0100 – BARBER SCHOOL

21 NCAC 06F .0101 PHYSICAL STRUCTURE

(a) For the purpose of this Rule, "practical area" means the area of the school where barbering services are provided.

(b) The physical structure of barber schools in North Carolina shall conform to the following criteria:

- (1) be a minimum of 14 linear feet wide;
- (2) be equipped with a minimum of three barber chairs for barber schools within jail or prison facilities or 10 barber chairs for all other schools, and these chairs shall that meet the sanitary conditions required by G.S. 86A-15(a)(2);
- (3) have a minimum of 896 square feet in the practical ~~area for the first 10 chairs; area;~~

- (4) have an additional 70 square feet in the practical area for each additional barber chair over ~~the required 10;~~ 10 chairs;
- (5) have at least five linear feet of space between each chair, center to center;
- (6) have no more than two students enrolled per barber chair;
- (7) be equipped with toilet facilities with hand-washing sink or basin;
- (8) have concrete or wood floors covered with smooth, nonporous materials;
- (9) have instructional materials, such as blackboard space or slide programs;
- (10) have a workstand, with a mounted mirror with minimum dimensions of 36 inches tall and 20 inches wide, for each barber chair in the practical area, constructed of material that can be washed and cleansed;
- (11) have a tool cabinet for each barber chair, with a door to limit exposure of the tools to the open air;
- (12) have a towel cabinet, or other method of storage, so that clean towels are stored separate from used towels;
- (13) have at least one ~~fully~~ functional sink or lavatory, with hot and cold water, for each two barber chairs, located within seven unobstructed linear feet of each barber chair. This sink distance requirement does not apply to schools permitted on or before September 1, 2009;
- (14) have the school separate from any other place or type of business, except for a business allowed by G.S. 86A-15(a)(1)(b), by a wall of ceiling height;
- (15) have a classroom area, separate from the practical area, with desk chairs sufficient to serve the number of students enrolled, and a desk and chair for the instructors;
- (16) have a means for electronic recordation of student hours;
- (17) have a sign displayed in each practical area of the school stating that all barbering services are performed by students; and
- (18) have a bulletin board hanging in each classroom area with a posting of the ~~sanitation~~ rules in this Subchapter and the minimum school curricula as set forth in 21 NCAC 06F .0120.

This Paragraph applies to barber schools permitted on or after December 1, 1994 or which undergo structural renovations after that date.

(c) All barber schools seeking a new permit shall receive a satisfactory building inspection by the jurisdiction having authority prior to obtaining a shop inspection pursuant to 21 NCAC 06L .0105.

Authority G.S. 86A-15; 86A-22.