

## SECTION .0400 - PERMITS, LICENSING AND CONTRACTS

### 14B NCAC 10 .0401 PERMITS

- (a) No promoter shall be given tentative approval for or issued a permit if such person has an unpaid fine or any delinquent indebtedness outstanding to the Division.
- (b) Each application for a permit shall be in writing, verified by the applicant, complete, and be accompanied by the required fee. The application for permit shall be on file with the Division at least 30 calendar days prior to the scheduled program of matches.
- (c) Upon receipt of the application for permit, the Division representative shall review the application and, if the application is in compliance with the requirements of G.S. 143, Article 68 and the rules set forth in this Chapter, he shall give tentative approval to the promoter for the proposed date of the program. If the Division representative determines that the application for permit is not in compliance with Article 68 or the rules as set forth in this Chapter, he shall immediately advise the promoter that the application for permit has been disapproved and shall state the reasons that the application is not in compliance. The Division representative shall deny an application for permit if another program of matches has previously been scheduled for the same date, and he has determined that adequate staff would not be available to properly supervise both programs of matches.
- (d) The promoter shall provide the proposed fight card not later than seven calendar days prior to the proposed date of the program. The promoter may advise the Division representative verbally of the names of the proposed contestants. The Division representative shall review the proposed fight card and, if he determines that all the proposed matches meet the requirements of Article 68, and the rules set forth in this Chapter, he shall approve the proposed fight card. If the Division representative determines that the proposed fight card is not in compliance with Article 68 or the rules set forth in this Chapter, he shall not approve the proposed fight card and shall immediately advise the promoter that the proposed fight card has been disapproved and the reasons for the disapproval.
- (e) All other pre-match requirements of the promoter described in Article 68 and the rules set forth in this Chapter shall be accomplished before final approval is given and the permit issued. The final approval of the permit shall not be given unless the Division representative has observed that all requirements related to facilities, equipment, personnel, licensing and approvals, and procurement of insurance have been met by the promoter. Immediately upon determining that the promoter has met all the requirements as set forth in this Chapter, the Division representative shall issue the permit. If the Division representative determines that the promoter is not in compliance with the requirements set forth in this Rule, the Division representative shall rescind the tentative approval of the permit and the program of matches shall be canceled. If the program of matches is canceled, all tickets shall be refunded in accordance with the refund provisions set forth in the rules in this Chapter.
- (f) A permit is only valid for the program of matches for which it was issued. A new permit is required for each program of matches. If, after the payment of the permit fee to the Division a program of matches is canceled for any reason, whether by the promoter or the Division, the permit fee shall not be refunded, provided however, that the fee shall be refunded if the cancellation by the Division was the result of an error made by the Division and which was through no fault of the promoter.
- (g) A non-refundable permit fee shall be submitted with the application for permit and shall be based on the seating capacity of the premises to be utilized to present the program of matches. The following fee structure shall be utilized to determine the permit fee:
- (1) Seating capacity is less than 2000--Fee=\$150.00
  - (2) Seating capacity is 2000 or more but no greater than 5000--Fee=\$300.00
  - (3) Seating capacity exceeds 5000--Fee=\$450.00

*History Note: Authority G.S. 143-652.1; 143-655;  
Temporary Adoption Eff. January 1, 1996;  
Recodified from 18 NCAC 9.0105 Eff. April 1, 1996;  
Eff. April 1, 1996;  
Transferred and recodified from 18 NCAC 9 effective November 8, 2002;  
Amended Eff. November 1, 2004;  
Amended Eff. March 1, 2008 (recodified from 14A NCAC 12 .0110);  
Transferred from 14A NCAC 12 .0401 Eff. June 1, 2013;  
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. January 9, 2018.*