

10A NCAC 63C .0302 TEMPORARY CLOSING

(a) A facility may be temporarily closed due to the closing of a public building, industry, or institution caused by an emergency condition such as snow days, fire, or death of a company official.

(b) If a facility is closed for an extended period of time through no fault of the operator, that operator may be eligible for financial assistance through the Business Enterprises Program's Emergency Relief Fund. This fund is supported through Federal Unassigned Vending based on a majority vote of the operators in the Program. The following guidelines apply:

- (1) Facility must be closed an entire calendar month due to no fault of the operator.
- (2) Facility must have a target date for reopening.
- (3) The closing is not covered by insurance or all coverage must be exhausted before the Emergency Fund is used.
- (4) The Elected Committee of Vendors shall establish the monthly rate to be paid to operators who qualify for use of the Fund.. The monthly rate set by the Committee shall appear in the minutes from the Committee meeting when the rate was set and the rate shall be on file in the Office of the Chief of Business Enterprises Program, 309 Ashe Avenue, Raleigh, NC, 27606.
- (5) The operator may be subsidized for an initial period up to six months after which the situation will be reassessed by Committee members as appointed by the Chair and by the Chief of the Business Enterprises Program. They shall determine if an extension should be allowed and if so, for how long.
- (6) If a feasible satellite facility is available, the operator must apply for that location. Failure to apply for any satellite facility for which the operator is qualified shall result in immediate forfeiture of the Emergency Relief Funds for the period of time the satellite facility is available. If the operator applies for the satellite facility and is not awarded the facility, no penalty shall apply. If applying for the satellite facility would pose a financial hardship on the operator, the Division shall waive this requirement.

History Note: Authority G.S. 111-27; 34 C.F.R. 395.4; 20 U.S.C. sec. 107;
Eff. February 1, 1976;
Readopted Eff. November 16, 1977;
Amended Eff. August 1, 2002; April 1, 1990; February 1, 1986; October 1, 1978.