

15A NCAC 18A .1829 PERMITS

(a) No permit for a lodging establishment shall be issued to a person until an application is submitted in accordance with Rule .1833 and an evaluation by the regulatory authority shows that the establishment complies with this Section. However, for bed and breakfast homes and inns, the regulatory authority shall allow a period of 210 days after the date of issuance of the permit to comply with the certified food protection manager requirements in Rule .1822 of this Section.

(b) Upon transfer of ownership of an existing lodging establishment, the regulatory authority shall complete an evaluation. If the lodging establishment satisfies all the requirements of the rules, a permit shall be issued. If the lodging establishment does not satisfy all the requirements of the rules, a permit shall not be issued. A transitional permit shall be issued if the regulatory authority determines that the noncompliant items are construction or equipment problems that do not represent an immediate threat to public health. The transitional permit shall expire 180 days after the date of issuance, unless suspended or revoked before that date, and shall not be renewed. Upon expiration of a transitional permit, the permit holder shall have corrected the noncompliant items and obtained a permit, or the lodging establishment shall not continue to operate.

(c) The regulatory authority shall impose conditions on the issuance of a permit or a transitional permit if necessary to ensure that a lodging establishment remains in compliance with this Section. Conditions may be specified for one or more of the following areas:

- (1) The number of bedrooms or persons housed;
- (2) The amount of laundry or kitchen and warewashing equipment on the premises;
- (3) Time schedules in completing minor construction items;
- (4) Modification or maintenance of water supplies, water use fixtures, and sanitary sewage systems;
- (5) Use of facilities for more than one purpose;
- (6) Continuation of contractual arrangements upon which basis the permit was issued; or
- (7) Any other conditions necessary for a lodging place to remain in compliance with this Section.

(d) If a permit or transitional permit has been suspended, the suspension shall be lifted if the regulatory authority has evaluated the lodging establishment and found that the violations causing the suspension have been corrected. If a permit or transitional permit has been revoked, a new permit shall be issued only after a request is made by the permit holder and the regulatory authority has evaluated the lodging establishment and found it to comply with the rules of this Section. The evaluations shall be conducted within 15 days after the request is made by the permit holder.

*History Note: Authority G.S. 130A-4; 130A-6; 130A-248;
Eff. October 1, 2017.*