



CHAPTER 18B
ARTICLE 9 - ISSUANCE OF PERMITS

N.C.G.S. § 18B-901.

Issuance of permits.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT S.L. 2024-41, s. 36(a) — twenty-fifth act in the lineage	RETRIEVED 21 September 2026, 02:53 UTC	SOURCE FINGERPRINT 71f81e47ecce76522c0890d5 - 4509342dbbb26ab5b2130d6c - 288763ef6422ce6d
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§ 18B-901(a) Who Issues. - All ABC permits shall be issued by the Commission.

§ 18B-901(b) Notice to Local Government. - Before issuing a retail ABC permit, other than a:

- (1) Special occasion permit under G.S. 18B-1001(8);
- (2) Limited special occasion permit under G.S. 18B-1001(9);
- (3) Temporary permit under G.S. 18B-905; or
- (4) Special one-time permit under G.S. 18B-1002

for an establishment, the Commission shall give notice of the permit application to the governing body of the city in which the establishment is located. If the establishment is not inside a city, the Commission shall give notice to the governing body of the county. The Commission shall allow the local governing body 15 days from the time the notice was mailed or delivered to file written objection to the issuance of the permit. To be considered by the Commission, the objection shall state the facts upon which it is based.

§ 18B-901(c) Factors in Issuing Permit. - Before issuing a permit, the Commission shall be satisfied that the applicant is a suitable person to hold an ABC permit and that the location is a suitable place to hold the permit for which the applicant has applied. To be a suitable place, the local governing body shall return a Zoning and Compliance Form to the Commission on a form provided by the Commission to show the establishment is in compliance with all applicable building and fire codes and, if applicable, has been notified that it is located in an Urban Redevelopment Area as defined by Article 22

of Chapter 160A of the General Statutes and as required by G.S. 18B-904(e)(2). Other factors the Commission shall consider in determining whether the applicant and the business location are suitable are all of the following:

- (1) The reputation, character, and criminal record of the applicant.
- (2) through (5) Repealed by Session Laws 2019-49, s. 3, effective June 26, 2019.
- (6) Zoning laws, the number of places already holding ABC permits within the neighborhood, parking facilities and traffic conditions in the neighborhood, types of businesses already in the neighborhood, and whether the establishment is located within 50 feet of a church, public school, or any nonpublic school as defined in Part 1 or Part 2 of Article 39 of Chapter 115C of the General Statutes.
- (7) The recommendations of the local governing body.
- (8) Any other evidence that would tend to show whether the applicant would comply with the ABC laws.
- (9) Whether the operation of the applicant's business at that location would be detrimental to the neighborhood, including evidence admissible under G.S. 150B-29(a) of any of the following:

a. Past revocations, suspensions, and violations of ABC laws by prior permittees related to or associated with the applicant, or a business with which the applicant is associated, within the immediate preceding 12-month period at this location.

b. Evidence of illegal drug activity on or about the licensed premises.

c. Evidence of fighting, disorderly conduct, and other dangerous activities on or about the licensed premises.

§ 18B-901(c1)

Limitation on Commission's Discretion. - The Commission's discretion whether to issue a permit to a cigar bar is limited to the factors in this Chapter. The Commission shall not consider whether the cigar bar may allow smoking indoors pursuant to G.S. 130A-496 in deciding whether to issue the cigar bar a permit.

§ 18B-901(d)

Commission's Authority. - The Commission shall have the sole power, in its discretion, to determine the suitability and qualifications of an applicant for a permit. The Commission shall also have the authority to determine the suitability of the location to which the permit may be issued.

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
25 ACTS

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.



Nº	YEAR	ACT	CHARACTER
01	1945	c. 903, s. 1	ENACTED
02	1947	c. 1098, ss. 2, 3	AMENDED
03	1949	c. 974, s. 1	AMENDED
04	1957	cc. 1048, 1448	AMENDED
05	1963	c. 426, ss. 10, 12	AMENDED
06	1963	c. 460, s. 1	AMENDED
07	1971	c. 872, s. 1	AMENDED
08	1973	c. 476, s. 128	AMENDED
09	1975	c. 586, s. 1	AMENDED
10	1975	c. 654, ss. 1, 2	AMENDED
11	1975	c. 722, s. 1	AMENDED
12	1977	c. 70, s. 19	AMENDED
13	1977	c. 182, s. 1	AMENDED
14	1977	c. 669, ss. 1, 2	AMENDED
15	1977	c. 676, ss. 1, 2	AMENDED
16	1977	c. 911	AMENDED
17	1979	c. 348, ss. 2, 3	AMENDED
18	1979	c. 683, ss. 5, 6, 11, 12	AMENDED
19	1981	c. 412, s. 2	AMENDED
20	1981	1993 (Reg. Sess., 1994), c. 749, ss. 1, 2	AMENDED
21	2005	S.L. 2005-392, ss. 2, 3	AMENDED

22	2019	S.L. 2019-49, s. 3	AMENDED
23	2019	S.L. 2019-182, s. 5(b)	AMENDED
24	2022	S.L. 2022-44, s. 3(n)	AMENDED
25	2024	S.L. 2024-41, s. 36(a)	AMENDED

APPARATUS II
7 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

REFERENCE	APPEARS IN	OPERATIVE LANGUAGE IN THIS SECTION
G.S. 18B-1001(8)	(b)(1)	"Special occasion permit under"
G.S. 18B-1001(9)	(b)(2)	"Limited special occasion permit under"
G.S. 18B-905	(b)(3)	"Temporary permit under"
G.S. 18B-1002	(b)(4)	"Special one-time permit under"
G.S. 18B-904(e)(2)	(c)	"General Statutes and as required by"
G.S. 150B-29(a)	(c)(9)	"the neighborhood, including evidence admissible under"
G.S. 130A-496	(c1)	"may allow smoking indoors pursuant to"

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 18B-901 (2024).

PINPOINT

N.C. Gen. Stat. § 18B-901(a) (2024).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

Provenance

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1945, c. 903, s. 1; 1947, c. 1098, ss. 2, 3; 1949, c. 974, s. 1; 1957, cc. 1048, 1448; 1963, c. 426, ss. 10, 12; c. 460, s. 1; 1971, c. 872, s. 1; 1973, c. 476, s. 128; 1975, c. 586, s. 1; c. 654, ss. 1, 2; c. 722, s. 1; 1977, c. 70, s. 19; c. 182, s. 1; c. 669, ss. 1, 2; c. 676, ss. 1, 2; c. 911; 1979, c. 348, ss. 2, 3; c. 683, ss. 5, 6, 11, 12; 1981, c. 412, s. 2; 1993 (Reg. Sess., 1994), c. 749, ss. 1, 2; 2005-392, ss. 2, 3; 2019-49, s. 3; 2019-182, s. 5(b); 2022-44, s. 3(n); 2024-41, s. 36(a).)

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