

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 860
Committee Substitute Favorable 5/6/93

Short Title: Davie/Watershed Zoning Notices.

(Local)

Sponsors:

Referred to:

April 12, 1993

A BILL TO BE ENTITLED

1 AN ACT TO EXEMPT DAVIDSON AND DAVIE COUNTIES, THE TOWNS OF
2 FOREST CITY AND MOCKSVILLE, AND THE CITIES OF LEXINGTON AND
3 THOMASVILLE FROM CERTAIN NOTICE REQUIREMENTS FOR THE
4 PURPOSE OF ADOPTING OR AMENDING ZONING ORDINANCES FOR
5 WATER SUPPLY WATERSHED PROTECTION.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. (a) Notwithstanding G.S. 153A-343 or any other provision of law,
9 when a county is adopting a local water supply watershed protection program as
10 required by G.S. 143-214.5, in lieu of mailing a notice of proposed zoning classification
11 actions to any party or other person, the county may publish once a week for four
12 successive calendar weeks in a newspaper having general circulation in the area maps
13 showing the boundaries of the area affected by the proposed watershed regulation. The
14 map shall not be less than one-half of a newspaper page in size. The notice shall only
15 be effective for property owners who reside in the area of general circulation of the
16 newspaper which publishes the notice. Property owners who reside outside of the
17 newspaper circulation area, according to the address listed on the most recent property
18 tax listing for the affected property, shall be notified by mail pursuant to G.S. 153A-
19 343. The person or persons mailing the notices shall certify to the board of
20 commissioners that fact, and the certificates shall be deemed conclusive in the absence
21 of fraud.

22 (b) Notwithstanding G.S. 153A-323 or any other provision of law, when a county
23 is adopting or amending any ordinance in order to adopt a local water supply watershed

1 protection program as required by G.S. 143-214.5, the county shall hold a public
2 hearing on the ordinance or amendment. Notice of the hearing shall be published along
3 with the notice required by subsection (a) of this section. The hearing shall be held not
4 less than 10 days nor more than 25 days after the day of last publication required by
5 Section 1 of this act. In computing such period, the day of last publication is not to be
6 included but the day of hearing shall be included.

7 Sec. 2. (a) Notwithstanding G.S. 160A-384 or any other provision of law,
8 when a city is adopting a local water supply watershed protection program as required
9 by G.S. 143-214.5, in lieu of mailing a notice of proposed zoning classification actions
10 to any party or other person, the city may publish once a week for four successive
11 calendar weeks in a newspaper having general circulation in the area maps showing the
12 boundaries of the area affected by the proposed watershed regulation. The map shall
13 not be less than one-half of a newspaper page in size. The notice shall only be effective
14 for property owners who reside in the area of general circulation of the newspaper
15 which publishes the notice. Property owners who reside outside of the newspaper
16 circulation area, according to the address listed on the most recent property tax listing
17 for the affected property, shall be notified by mail pursuant to G.S. 153A-343. The
18 person or persons mailing the notices shall certify to the city council that fact, and the
19 certificates shall be deemed conclusive in the absence of fraud.

20 (b) Notwithstanding G.S. 160A-364 or any other provision of law, when a city is
21 adopting or amending any ordinance in order to adopt a local water supply watershed
22 protection program as required by G.S. 143-214.5, the city shall hold a public hearing
23 on the ordinance or amendment. Notice of the hearing shall be published along with the
24 notice required by subsection (a) of this section. The hearing shall be held not less than
25 10 days nor more than 25 days after the day of last publication required by Section 1 of
26 this act. In computing such period, the day of last publication is not to be included but
27 the day of hearing shall be included.

28 Sec. 3. Section 1 of this act applies to Davidson and Davie Counties only.

29 Sec. 4. Section 2 of this act applies to the Towns of Forest City and
30 Mocksville and the Cities of Lexington and Thomasville only.

31 Sec. 5. This act is effective upon ratification.