

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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SENATE BILL 1082
Second Edition Engrossed 5/13/93
House Committee Substitute Favorable 6/28/93

Short Title: Nash/Watershed Zoning Notice.

(Local)

Sponsors:

Referred to:

May 10, 1993

A BILL TO BE ENTITLED

1 AN ACT TO EXEMPT NASH AND FRANKLIN COUNTIES AND THE
2 MUNICIPALITIES LOCATED IN FRANKLIN COUNTY FROM CERTAIN
3 NOTICE REQUIREMENTS FOR THE PURPOSE OF ADOPTING OR
4 AMENDING ZONING ORDINANCES FOR WATER SUPPLY WATERSHED
5 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. In addition to the published notice, a county shall post one or more prominent

1 signs immediately adjacent to the subject area reasonably calculated to give public
2 notice of the proposed rezoning.

3 (b) Notwithstanding G.S. 153A-323 or any other provision of law, when a county
4 is adopting or amending any ordinance in order to adopt a local water supply watershed
5 protection program as required by G.S. 143-214.5, the county shall hold a public
6 hearing on the ordinance or amendment. Notice of the hearing shall be published along
7 with the notice required by subsection (a) of this section. The hearing shall be held not
8 less than 10 days nor more than 25 days after the day of last publication required by
9 subsection (a) of this section. In computing such period, the day of last publication is
10 not to be included, but the day of hearing shall be included.

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

26 (b) Notwithstanding G.S. 160A-364 or any other provision of law, when a city is
27 adopting or amending any ordinance in order to adopt a local water supply watershed
28 protection program as required by G.S. 143-214.5, the city shall hold a public hearing
29 on the ordinance or amendment. Notice of the hearing shall be published along with the
30 notice required by subsection (a) of this section. The hearing shall be held not less than
31 10 days nor more than 25 days after the day of last publication required by subsection
32 (a) of this section. In computing such period, the day of last publication is not to be
33 included, but the day of hearing shall be included.

34 Sec. 3. Section 1 of this act applies only to Nash and Franklin Counties.

35 Sec. 4. Section 2 of this act applies only to the municipalities located within
36 Franklin County.

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