

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1999

HOUSE BILL 471
RATIFIED BILL

AN ACT AMENDING THE CHARTERS OF THE TOWNS OF STOKESDALE, SUMMERFIELD, PLEASANT GARDEN, AND OAK RIDGE TO EXEMPT AGRICULTURAL LAND USES WITHIN THOSE JURISDICTIONS FROM ZONING.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the Town of Stokesdale, being Chapter 488 of the 1989 Session Laws, as amended by Chapter 956 of the 1989 Session Laws, is amended by adding a new section to read:

"Sec. 5.2. Zoning Exemption. Notwithstanding any other provision of law, the Town may not regulate or restrict agricultural land uses under its zoning ordinance. For the purposes of this section, an 'agricultural land use' includes 'agricultural land' as defined in G.S. 105-277.2 and property used for 'bona fide farm purposes' as defined in G.S. 153A-340(b)(2). This exemption does not limit regulation under this section with respect to the use of farm property for nonfarm purposes."

Section 2. The Charter of the Town of Summerfield, being Chapter 426 of the 1995 Session Laws, as amended by Chapter 2 of the 1995 Session Laws, Second Extra Session 1996, and Chapter 249 of the 1997 Session Laws, is amended by adding a new section to read:

"Sec. 5.3. Zoning Exemption. Notwithstanding any other provision of law, the Town may not regulate or restrict agricultural land uses under its zoning ordinance. For the purposes of this section, an 'agricultural land use' includes 'agricultural land' as defined in G.S. 105-277.2 and property used for 'bona fide farm purposes' as defined in G.S. 153A-340(b)(2). This exemption does not limit regulation under this section with respect to the use of farm property for nonfarm purposes."

Section 3. The Charter of the Town of Pleasant Garden, being Chapter 344 of the 1997 Session Laws, as amended by Chapter 205 of the 1997 Session Laws, 1998 Regular Session, is amended by adding a new section to read:

"Sec. 5-4. Zoning Exemption. Notwithstanding any other provision of law, the Town may not regulate or restrict agricultural land uses under its zoning ordinance. For the purposes of this section, an 'agricultural land use' includes 'agricultural land' as defined in G.S. 105-277.2 and property used for 'bona fide farm purposes' as defined in G.S. 153A-340(b)(2). This exemption does not limit regulation under this section with respect to the use of farm property for nonfarm purposes."

Section 4. The Charter of the Town of Oak Ridge, being Chapter 113 of the 1997 Session Laws, 1998 Regular Session, as amended by Chapter 217 of the 1997 Session Laws, 1998 Regular Session, is amended by adding a new section to read:

"Sec. 5.2. Zoning Exemption. Notwithstanding any other provision of law, the Town may not regulate or restrict agricultural land uses under its zoning ordinance. For the purposes of this section, an 'agricultural land use' includes 'agricultural land' as defined in G.S. 105-277.2 and property used for 'bona fide farm purposes' as defined in G.S. 153A-340(b)(2). This exemption does not limit regulation under this section with respect to the use of farm property for nonfarm purposes."

Section 5. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 18th day of May, 1999.

Dennis A. Wicker
President of the Senate

James B. Black
Speaker of the House of Representatives