

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

S

1

SENATE BILL 1092

Short Title: No Restriction of Managed Forestry.

(Public)

---

Sponsors: Senator Purcell.

---

Referred to: Agriculture/Environment/Natural Resources.

---

April 15, 1999

A BILL TO BE ENTITLED

1 AN ACT TO PROHIBIT LOCAL GOVERNMENTS FROM RESTRICTING  
2 FORESTRY CONDUCTED PURSUANT TO AN APPROVED FOREST  
3 MANAGEMENT PLAN AND IN COMPLIANCE WITH THE FOREST  
4 PRACTICE GUIDELINES RELATED TO WATER QUALITY.  
5

6 The General Assembly of North Carolina enacts:

7 Section 1. Article 2 of Chapter 153A of the General Statutes is amended by  
8 adding a new section to read:

9 "**§ 153A-16. Restriction of certain forestry operations prohibited.**

10 (a) A county shall not limit or otherwise restrict a forestry operation, as defined in  
11 G.S. 106-701(b), that is operated under an approved forest management plan under  
12 Article 11 of Chapter 113A of the General Statutes prepared by a registered forester and  
13 that is conducted in compliance with the Forest Practice Guidelines Related to Water  
14 Quality adopted by the Department of Environment and Natural Resources pursuant to  
15 G.S. 113A-52.1. A county shall not require a permit or impose a fee for activities carried  
16 out under a forest management plan.

17 (b) This section does not apply to land that has been rezoned or converted at the  
18 request of the owner or a previous owner from an agricultural or rural use to a residential,  
19 commercial, or industrial zone or use."

1           Section 2. Article 2 of Chapter 160A of the General Statutes is amended by  
2 adding a new section to read:

3 **"§ 160A-13. Restriction of certain forestry operations prohibited.**

4       (a) A municipality shall not limit or otherwise restrict a forestry operation, as  
5 defined in G.S. 106-701(b), that is operated under an approved forest management plan  
6 under Article 11 of Chapter 113A of the General Statutes prepared by a registered  
7 forester and that is conducted in compliance with the Forest Practice Guidelines Related  
8 to Water Quality adopted by the Department of Environment and Natural Resources  
9 pursuant to G.S. 113A-52.1. A county shall not require a permit or impose a fee for  
10 activities carried out under a forest management plan.

11       (b) This section does not apply to land that has been rezoned or converted at the  
12 request of the owner or a previous owner from an agricultural or rural use to a residential,  
13 commercial, or industrial zone or use."

14           Section 3. This act is effective when it becomes law.