

NORTH CAROLINA GENERAL ASSEMBLY  
1971 SESSION

CHAPTER 1210  
HOUSE BILL 1513

AN ACT TO AUTHORIZE EITHER THE CITY OF RALEIGH OR WAKE COUNTY  
OR BOTH BY ORDINANCES TO REGULATE SOIL EROSION.

The General Assembly of North Carolina do enact:

**Section 1.** The Board of County Commissioners of Wake County is hereby authorized to make such ordinances as it deems appropriate to prevent soil erosion by requiring the submission of plans in order to control sediment erosion at the site of any construction, landscaping, clearing projects or any other project except normal agricultural operations which in any manner alters the natural structure of the land mass within the county; provided however, that such ordinances shall not be applicable to the construction, maintenance, or operation of the facilities of public utilities, as defined in G.S. 62-3, and electric membership corporations. The Board of County Commissioners may establish by ordinance a sediment control program whereby prior to any alteration of the land mass within the unincorporated portion of the county, a permit must be obtained from the Board of County Commissioners, in the manner prescribed by the ordinance, and in accordance with the criteria and standards for proper sediment control as established by the Board of County Commissioners. Such ordinance may also regulate the alteration of the land mass within the territorial jurisdiction of any municipality whose governing body by resolution agrees to such regulation; provided, however, that any such municipal governing body may, upon thirty (30) days written notice, withdraw its approval of the county ordinance, and that ordinance shall have no further effect within the municipality's jurisdiction.

**Sec. 2.** The governing body of the City of Raleigh is authorized to make such ordinances as they deem appropriate to prevent soil erosion by requiring the submission of plans in order to control sediment erosion at the site of any construction, landscaping, clearing projects or any other project which in any manner alters the natural structure of the land mass within said City of Raleigh; provided however, that such ordinances shall not be applicable to the construction, maintenance, or operation of the facilities of public utilities, as defined in G.S. 62-3, and electric membership corporations. The governing body of said City may establish by ordinance a sediment control program whereby prior to any alteration of the land mass within the City of Raleigh, a permit must be obtained from the governing body in the manner prescribed by the ordinance, and in accordance with the criteria and standards for proper sediment control as established by the governing board.

**Sec. 3.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 21st day of July, 1971.