

GENERAL ASSEMBLY OF NORTH CAROLINA
1993 SESSION

CHAPTER 296
SENATE BILL 1082

AN ACT TO EXEMPT NASH AND FRANKLIN COUNTIES AND THE MUNICIPALITIES LOCATED IN FRANKLIN COUNTY FROM CERTAIN NOTICE REQUIREMENTS FOR THE PURPOSE OF ADOPTING OR AMENDING ZONING ORDINANCES FOR WATER SUPPLY WATERSHED PROTECTION.

The General Assembly of North Carolina enacts:

Section 1. (a) Notwithstanding G.S. 153A-343 or any other provision of law, when a county is adopting a local water supply watershed protection program as required by G.S. 143-214.5, in lieu of mailing a notice of proposed zoning classification actions to any party or other person, the county may publish once a week for four successive calendar weeks in a newspaper having general circulation in the area maps showing the boundaries of the area affected by the proposed watershed regulation. The map shall not be less than one-half of a newspaper page in size. The notice shall only be effective for property owners who reside in the area of general circulation of the newspaper which publishes the notice. Property owners who reside outside of the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified by mail pursuant to G.S. 153A-343. The person or persons mailing the notices shall certify to the board of commissioners that fact, and the certificates shall be deemed conclusive in the absence of fraud. In addition to the published notice, a county shall post one or more prominent signs immediately adjacent to the subject area reasonably calculated to give public notice of the proposed rezoning.

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

Sec. 2. (a) Notwithstanding G.S. 160A-384 or any other provision of law, when a city is adopting a local water supply watershed protection program as required by G.S. 143-214.5, in lieu of mailing a notice of proposed zoning classification actions to any party or other person, the city may publish once a week for four successive calendar weeks in a newspaper having general circulation in the area maps showing the

boundaries of the area affected by the proposed watershed regulation. The map shall not be less than one-half of a newspaper page in size. The notice shall only be effective for property owners who reside in the area of general circulation of the newspaper which publishes the notice. Property owners who reside outside of the newspaper circulation area, according to the address listed on the most recent property tax listing for the affected property, shall be notified by mail pursuant to G.S. 153A-343. The person or persons mailing the notices shall certify to the city council that fact, and the certificates shall be deemed conclusive in the absence of fraud. In addition to the published notice, a city shall post one or more prominent signs immediately adjacent to the subject area reasonably calculated to give public notice of the proposed rezoning.

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

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

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

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 7th day of July, 1993.

Dennis A. Wicker
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives