

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

H

1

HOUSE BILL 804

Short Title: Wilkes/Watershed Zoning Notices.

(Local)

Sponsors: Representatives J. Brown; and Holmes.

Referred to: Local and Regional Government I.

April 8, 1993

A BILL TO BE ENTITLED

1 AN ACT TO EXEMPT WILKES COUNTY AND THE TOWNS OF RONDA,
2 WILKESBORO, AND NORTH WILKESBORO FROM CERTAIN NOTICE
3 REQUIREMENTS FOR THE PURPOSE OF ADOPTING OR AMENDING
4 ZONING ORDINANCES FOR WATER SUPPLY WATERSHED PROTECTION.
5

6 The General Assembly of North Carolina enacts:

7 Section 1. (a) Notwithstanding G.S. 153A-343 or any other provision of law,
8 when a county is adopting a local water supply watershed protection program as
9 required by G.S. 143-214.5, in lieu of mailing a notice of proposed zoning classification
10 actions to any party or other person, the county may publish once a week for four
11 successive calendar weeks in a newspaper having general circulation in the area maps
12 showing the boundaries of the area affected by the proposed watershed regulation. The
13 map shall not be less than one-half of a newspaper page in size. The notice shall only
14 be effective for property owners who reside in the area of general circulation of the
15 newspaper which publishes the notice. Property owners who reside outside of the
16 newspaper circulation area, according to the address listed on the most recent property
17 tax listing for the affected property, shall be notified by mail pursuant to G.S. 153A-
18 343. The person or persons mailing the notices shall certify to the board of
19 commissioners that fact, and the certificates shall be deemed conclusive in the absence
20 of fraud.

21 (b) Notwithstanding G.S. 153A-323 or any other provision of law, when a county
22 is adopting or amending any ordinance in order to adopt a local water supply watershed
23 protection program as required by G.S. 143-214.5, the county shall hold a public
24 hearing on the ordinance or amendment. Notice of the hearing shall be published along

1 with the notice required by subsection 1(a) of this act. The hearing shall be held not less
2 than 10 days nor more than 25 days after the day of last publication required by
3 subsection 1(a) of this act. In computing such period, the day of last publication is not
4 to be included but the day of hearing shall be included.

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

18 (b) Notwithstanding G.S. 160A-364 or any other provision of law, when a city is
19 adopting or amending any ordinance in order to adopt a local water supply watershed
20 protection program as required by G.S. 143-214.5, the city shall hold a public hearing
21 on the ordinance or amendment. Notice of the hearing shall be published along with the
22 notice required by subsection 2(a) of this act. The hearing shall be held not less than 10
23 days nor more than 25 days after the day of last publication required by subsection 2(a)
24 of this act. In computing such period, the day of last publication is not to be included
25 but the day of hearing shall be included.

26 Sec. 3. Section 1 of this act applies to Wilkes County only.

27 Sec. 4. Section 2 of this act applies to the Towns of Ronda, Wilkesboro, and
28 North Wilkesboro only.

29 5. This act is effective upon ratification.