

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 806

Short Title: Raleigh Soil Erosion.

(Local)

Sponsors: Representatives Blue; Fussell, Stamey, and Wisser.

Referred to: Government.

March 23, 1989

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO REGULATE SOIL
EROSION AND STORMWATER.

The General Assembly of North Carolina enacts:

Section 1. The governing body of the City of Raleigh may adopt such ordinances as it deems appropriate to prevent soil erosion and sedimentation and to regulate stormwater, by requiring the submission of plans in order to control soil erosion, sedimentation and stormwater from 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 and its extraterritorial planning jurisdiction, provided however, that such ordinance shall not be applicable to land-disturbing activities that are listed in G.S. 113A-56. The governing body of the City may establish by ordinance a program of regulations whereby prior to any land disturbing activity within the City of Raleigh and its extraterritorial planning jurisdiction, a permit must be obtained in the manner prescribed by the ordinance, and in accordance with the criteria and standards as established by the governing board.

The ordinance may provide that in lieu of the required improvements shown on the plan, a developer may be required to provide funds that the City may use for the construction of devices, structures, drainage easements, and impoundments to control soil erosion, sedimentation, and stormwater within the drainage basin; these funds may be used to serve more than one site or development within the area. Any formula adopted to determine the amount of funds the developer is to pay in lieu of required improvements, shall be based on either impervious surfaces of the site or quantity of stormwater generated from the surfaces of the site or quantity of stormwater generated

1 from the site. The ordinance may require a combination of partial payment of funds and
2 partial construction when the governing body of the City determines that a combination
3 is in the best interest of the citizens of the area to be served.

4 Sec. 2. This act is effective upon ratification.