

GENERAL ASSEMBLY OF NORTH CAROLINA  
1995 SESSION

CHAPTER 728  
HOUSE BILL 934

AN ACT TO MAKE CLARIFYING, CONFORMING, AND TECHNICAL  
CHANGES TO VARIOUS LAWS RELATING TO ENVIRONMENT, HEALTH,  
AND NATURAL RESOURCES AND RELATED LAWS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.108(h)(4) reads as rewritten:

"(4) Rights if Permit Decision Not Made in Timely Fashion. If the Department fails to issue a permit decision within the time periods specified in subdivision (3) of this subsection, the applicant ~~may take any of the following actions:~~ may:

- a. Take no action, thereby consenting to the continued review of the application; or
- b. Treat the ~~action-failure to issue a permit decision~~ as a denial of the application and appeal the denial ~~under Article 3 of Chapter 150B of the General Statutes.~~ as provided in subdivision (2) of subsection (d) of this section."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 21st day of June, 1996.

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Dennis A. Wicker  
President of the Senate

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Harold J. Brubaker  
Speaker of the House of Representatives