

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 1175

Short Title: Local Pesticide Notice.

(Public)

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Sponsors: Representatives Insko and Hackney.

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Referred to: Rules, Calendar and Operations of the House.

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April 15, 1999

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE AUTHORITY OF A COUNTY TO REQUIRE BY  
ORDINANCE CERTAIN NOTICE OF PESTICIDE APPLICATION.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-465(d) reads as rewritten:

"(d) ~~No~~ Subject to G.S. 153A-143, no county, city, or other political subdivision of the State shall adopt or continue in effect any ordinance, rule, regulation, or resolution regulating the use, sale, distribution, storage, transportation, disposal, formulation, labeling, registration, manufacture, or application of pesticides in any area subject to regulation by the Board pursuant to this Article. Nothing in this section shall prohibit a county, city, or other political subdivision of the State from exercising its planning and zoning authority under Article 19 of Chapter 160A of the General Statutes or Article 18 of Chapter 153A of the General Statutes, or from exercising its fire prevention or inspection authority."

Section 2. Article 6 of Chapter 153A of the General Statutes is amended by adding a new section to read:

**"§ 153A-143. Notice of pesticide application.**

A county may by ordinance require that:

1           (1) Notice of a proposed application of a pesticide be given to landowners  
2           adjoining the property to be treated or in the immediate vicinity of that  
3           property.

4           (2) Notice of an application of a pesticide be conspicuously posted at the  
5           time and place of the application."

6           Section 3. This act is effective when it becomes law.