

April 6, 2009

H 1139. REGULATE IRRIGATION SYSTEMS/CITIES. Filed 4/6/09. *TO AUTHORIZE CITIES WITH A POPULATION IN EXCESS OF NINETY THOUSAND TO REGULATE OR PROHIBIT NEW IRRIGATION SYSTEMS FOR RESIDENTIAL AND NONRESIDENTIAL DEVELOPMENTS USED FOR LAWNS AND LANDSCAPING THAT ARE CONNECTED TO THE PUBLIC POTABLE WATER SUPPLY AND TO REGULATE CISTERNS AND RAIN BARRELS USED FOR IRRIGATION PURPOSES.*

Enacts new GS 160A-202 allowing cities with a population exceeding 90,000 to prohibit underground irrigation systems that are connected to the local public potable water supply system in new subdivisions and other new residential and nonresidential developments within the city's corporate limits and extraterritorial planning jurisdiction. Defines *development* as in GS 160A-400.21(3) and *development permit* as in GS 160A-400.21(4). Effective October 1, 2009, prohibits a city ordinance from prohibiting the installation and maintenance of cisterns and rain barrel collection systems used to collect water for irrigation purposes on any property within its corporate limits and extraterritorial planning jurisdiction; allows the city to regulate those systems for the purpose of protecting the public health and safety and for the purpose of preventing them from becoming a public nuisance.

Intro. by K. Alexander.

GS 160A