

NORTH CAROLINA GENERAL ASSEMBLY  
1977 SESSION

CHAPTER 857  
SENATE BILL 589

AN ACT TO AMEND ARTICLE 13, CHAPTER 130, NORTH CAROLINA GENERAL STATUTES, RELATING TO WATER AND SEWER SANITATION.

The General Assembly of North Carolina enacts:

**Section 1.** G.S. 130-160 is hereby amended by designating the existing text of said section as subsection (a) and by adding new subsections (b), (c) and (d) to read as follows:

"(b) Notwithstanding the provisions of subsection (a) of this section and the provisions of G.S. 130-17(b), any sanitary sewage disposal system subject to approval under rules and regulations of the Commission for Health Services shall be reviewed and approved under rules and regulations of a local board of health in the following circumstances:

(1) The local board of health, on its own motion, has requested the Commission for Health Services to review its proposed regulations concerning sanitary sewage disposal systems.

(2) The Commission for Health Services has found that the regulations of the local board of health concerning sanitary sewage disposal systems are substantially equivalent to the commission's regulations, and are sufficient to safeguard the public health.

(c) The Commission for Health Services from time to time, upon its own motion or upon the request of a local board of health or upon the request of a citizen of an affected county, may review its findings under subsection (b) of this section. Subject to such review, the commission's finding that local regulations meet the requirements of subsection (b) of this section shall be binding and conclusive.

(d) The relationship between State and local regulations concerning sanitary sewage disposal systems shall continue to be governed by G.S. 130-17(b) except in those cases where local regulations have been reviewed and approved pursuant to subsection (b) of this section."

**Sec. 2.** G.S. 130-17(b) is hereby amended by inserting at the beginning of the second sentence of said subsection the words, "Subject to the provisions of G.S. 130-160," and by modifying the capitalization accordingly, so that said second sentence will read as follows:

"Subject to the provisions of G.S. 130-160, where such rules and regulations deal with subject matter also covered by rules and regulations of the Commission for Health Services, and there is an emergency, or peculiar local condition or circumstance, requiring such action in the interest of public health, the rules and regulations of the local boards may be more stringent, but not less stringent, than those of the commission."

**Sec. 3.** This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 30th day of June, 1977.