

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 878
SENATE BILL 741

AN ACT TO AMEND THE DAM SAFETY LAW OF 1967, G.S. 143-215.23 ET SEQ. TO REMOVE THE EXEMPTION OF DAMS COSTING LESS THAN FIVE THOUSAND DOLLARS AND MAKE CERTAIN TECHNICAL CORRECTIONS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 143-215.24, as the same now appears in the 1974 Replacement Volume 3C of the General Statutes, is amended by deleting the words "certain" on line 2 and "such" on line 3, and by inserting on line 5 the word "minimum" between the word "of" and the words "stream flows".

Sec. 2. G.S. 143-215.25(2)f., as the same now appears in 1974 Replacement Volume 3C of the General Statutes, is amended by deleting from lines 3 and 4 the phrase "or any dam costing less than five thousand dollars (\$5,000)" and the period following this phrase, and by changing the comma following the word "acre-feet" on line 3 to a period.

Sec. 3. G.S. 143-215.32, as the same now appears in the 1975 Cumulative Supplement to Volume 3C of the General Statutes is hereby amended by adding a new subsection (d) as follows:

"(d) for the purposes of this section the word 'dam' shall mean any dam posing a present threat to human life or property regardless of its size and impoundment capacity, but excepting those dams described in G.S. 143-215.25(2)a., b. and d."

Sec. 4. G.S. 143-215.25(4), as the same now appears in 1975 Cumulative Supplement to Volume 3C of the General Statutes is hereby amended by deleting therefrom the words "the North Carolina Stream Sanitation Law" as they appear on line 5, and by substituting instead the citation to the statute "G.S. 143-214.1".

Sec. 5. G.S. 143-215.29(a), as the same now appears in 1975 Cumulative Supplement to Volume 3C of the General Statutes, is hereby amended by deleting from line 2 the word "and"; by inserting a comma after the citation to G.S. 143-215.26; by inserting after the citation to G.S. 143-215.27 a comma and the words "and G.S. 143-215.28, and any project undertaken pursuant to an order of the commission issued pursuant to this section or G.S. 143-215.32."

Sec. 6. G.S. 143-215.33(b), as the same now appears in the 1975 Cumulative Supplement to Volume 3C of the General Statutes, is hereby amended by deleting from line 6 the words "Article 33 of Chapter 143" and by inserting instead the words "Article 4 of Chapter 150A".

Sec. 7. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 1st day of July, 1977.