

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015**

**SESSION LAW 2015-149
HOUSE BILL 634**

AN ACT TO CLARIFY THE DEFINITION OF BUILT-UPON AREA FOR PURPOSES OF
STORMWATER PROGRAMS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) G.S. 143-214.7(b2) reads as rewritten:

"(b2) For purposes of implementing stormwater programs, "built-upon area" means impervious surface and partially impervious surface to the extent that the partially impervious surface does not allow water to infiltrate through the surface and into the subsoil. "Built-upon area" does not include a slatted ~~deck or deck~~; the water area of a ~~swimming pool~~ swimming pool; a surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric; or a trail as defined in G.S. 113A-85 that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour)."

SECTION 1.(b) Notwithstanding Section 45(c) of S.L. 2014-120, the Environmental Management Commission shall adopt rules to implement this section no later than December 1, 2015.

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 2nd day of July, 2015.

s/ Philip E. Berger
President Pro Tempore of the Senate

s/ Tim Moore
Speaker of the House of Representatives

s/ Pat McCrory
Governor

Approved 9:24 a.m. this 16th day of July, 2015

