GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 2011

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SENATE BILL 562

Agriculture/Environment/Natural Resources Committee Substitute Adopted 6/1/11

Short Title: Standards for Some Nursery Stock Purchases.

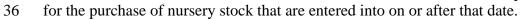
(Public)

Sponsors:

Referred to:

April 12, 2011

| 1 | A BILL TO BE ENTITLED |
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| 2 | AN ACT TO PROHIBIT EVERY COMMUNITY APPEARANCE COMMISSION, CITY, |
| 3 | AND COUNTY FROM REQUIRING THAT NURSERY STOCK THAT IS |
| 4 | PURCHASED WITHIN THE JURISDICTION OF THE COMMISSION, CITY, OR |
| 5 | COUNTY RESPECTIVELY MEET ANY STANDARD FOR NURSERY STOCK THAT |
| 6 | IS STRICTER THAN THE AMERICAN STANDARD FOR NURSERY STOCK |
| 7 | ADOPTED BY THE AMERICAN NURSERY AND LANDSCAPE ASSOCIATION, |
| 8 | UNLESS THE STRICTER STANDARD IS NECESSARY TO PROTECT PUBLIC |
| 9 | HEALTH OR SAFETY. |
| 10 | The General Assembly of North Carolina enacts: |
| 11 | SECTION 1. Part 7 of Article 19 of Chapter 160A of the General Statutes is |
| 12 | amended by adding a new section to read: |
| 13 | "§ 160A-455.1. Restriction concerning standards in excess of national standards |
| 14 | applicable to nursery stock. |
| 15 | No commission may make any plans or carry out any program under this Part to enhance |
| 16 | the visual quality or aesthetic appearance of the municipality or county within its jurisdiction |
| 17 | that will require that any nursery stock that is purchased to be planted within its jurisdiction |
| 18 | satisfy any standard that exceeds the American Standard for Nursery Stock adopted by the |
| 19 | American Nursery and Landscape Association, unless the stricter standard is necessary to |
| 20 | protect public health or safety." |
| 21 | SECTION 2. Article 21 of Chapter 160A of the General Statutes is amended by |
| 22 | adding a new section to read: |
| 23 | " <u>§ 160A-499.4. Standards for nursery stock.</u> |
| 24 | No city may require that any nursery stock that is purchased to be planted within its |
| 25 | jurisdiction satisfy any standard for nursery stock that exceeds the American Standard for |
| 26 | Nursery Stock adopted by the American Nursery and Landscape Association, unless the stricter |
| 27 | standard is necessary to protect public health or safety." |
| 28 | SECTION 3. Article 23 of Chapter 153A of the General Statutes is amended by |
| 29 | adding a new section to read: |
| 30 | " <u>§ 153A-457. Standards for nursery stock.</u> |
| 31 | No county may require that any nursery stock that is purchased to be planted within its |
| 32 33 | jurisdiction satisfy any standard for nursery stock that exceeds the American Standard for |
| 33 34 | Nursery Stock adopted by the American Nursery and Landscape Association, unless the stricter standard is pacessary to protect public health or safety." |
| 34 35 | standard is necessary to protect public health or safety." SECTION 4. This act is effective when it becomes law and applies to any contracts |
| 55 | SECTION 4. This act is effective when it becomes law and applies to any contracts |





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