

NORTH CAROLINA GENERAL ASSEMBLY  
1975 SESSION

CHAPTER 751  
HOUSE BILL 959

AN ACT TO AMEND G.S. 130-3, G.S. 130-158, G.S. 130-159 and G.S. 130-161 IN ORDER  
TO CLARIFY LAW CONCERNING WATER SANITATION.

The General Assembly of North Carolina enacts:

**Section 1.** G.S. 130-3, as it appears in Volume 3B of the General Statutes, is hereby amended by adding the following subsection (j):

"(j) 'Unit of local government' means a county, city, consolidated city-county, sanitary district, or other local political subdivision, authority or agency of local government."

**Sec. 2.** G.S. 130-158, as it appears in Volume 3B of the General Statutes, is hereby rewritten to read as follows:

**"§ 130-158. Suppliers of water to comply with rules of Commission for Health Services.** — In the interest of the public health, every person or unit of local government supplying water to the public for drinking and household purposes shall comply with the rules and regulations of the Commission for Health Services in the location, construction and operation of a water supply system. Any provisions in any charters heretofore granted to such persons or units of local government in conflict with the provisions of this Article are hereby repealed."

**Sec. 3.** G.S. 130-159, as it appears in Volume 3B of the General Statutes, is hereby amended in line 8 by deleting the words "public water and sewer facilities" and substituting therefor "water supply systems". G.S. 130-159 is hereby further amended by deleting the third sentence.

**Sec. 4.** G.S. 130-161, as it appears in Volume 3B of the General Statutes, is hereby rewritten to read as follows:

**"§ 130-161. Submission and approval of water supply system plans. Department to provide advice.** — The Department of Human Resources shall advise all persons and units of local government locating, constructing, altering or operating or intending to locate, construct, alter, or operate a water supply system of the most appropriate source of water supply and the best practical method of assuring the purity thereof, having regard to the present and prospective needs and interests of other persons and units of local government which may be affected thereby. The Department shall also advise concerning accepted engineering practices in the location, construction, alteration, and operation of water supply systems.

All persons and units of local government constructing or altering a water supply system shall give prior notice thereof and submit plans, specifications, and other information therefor to the Department of Human Resources. The Commission for Health Services shall promulgate rules and regulations providing for the amount of prior notice required to be given and the nature and detail of the plans, specifications, and other information required to be submitted. The commission shall take into consideration the complexity of the construction or alteration which may be involved and the resources of the department to review the plans, specifications, and other information. The department shall review the plans, specifications, and other information and notify the person or unit of local government of compliance or lack thereof with applicable law and rules and regulations of the Commission for Health Services.

No person or unit of local government shall construct or alter a water supply system until plans therefor have been approved by the Department of Human Resources."

**Sec. 4.** This act shall become effective January 1, 1976.

In the General Assembly read three times and ratified, this the 24th day of June, 1975.