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Stormwater Fee Exemption Included in Farm Act

Legislators unveiled a new version of their perennial farm bill this week, with proposals that call for several changes to agricultural laws, including one creating an exemption for municipal stormwater fees. SB 355 was originally filed as legislation affecting vehicle hauling on public roadways. The new version of the bill, [SB 355 North Carolina Farm Act of 2024](#), would exempt agricultural land used for bona fide farms purposes from paying local stormwater fees. The bill references “bona fide farm purposes” as described in [G.S. 160D-903](#).

While municipal officials appreciate the value that the agriculture industry creates in communities across the state, it is imperative that local revenue sources are protected. While this exemption is well-meaning, the change would set a concerning precedent that diminishes revenues designed to fund critical municipal services.

Legislators Buzzing on ETJ Beehive Rules

The new version of [SB 355 North Carolina Farm Act of 2024](#) also includes two other noteworthy provisions affecting municipalities. One could affect how beehives are regulated in residential and commercial areas, as it would prohibit cities from regulating beehives within their ETJs. The provision would not affect regulation within incorporated limits, nor would it affect counties’ ability to do so in unincorporated areas.

Another provision affecting municipalities would require local governments that offer public GIS tools to provide a disclaimer notifying their users that the data offered by the tool is provided without warranty and that users should consult recorded deeds and plats to verify the accuracy of the data provided. The provision would mandate that the disclaimer should be prominently displayed and acknowledged by the user before accessing the tool.

The bill is scheduled to be heard by the [House Agriculture Committee](#) next Wednesday.

Senate Proposes Additional Penalties to Protect Public Utilities

This week, the Senate Committee on Agriculture, Energy, and Environment unveiled legislation that would increase the penalties on property crimes against public water systems and wastewater treatment facilities. The legislation follows the passage of [S.L. 2023-47 Protect Critical Infrastructure](#) last year in response to the attack on an electrical substation in Moore County in late 2022.

The new legislation, initially filed as [HB 385 Various Energy/Environment Changes](#), would make contamination or other injury to a public water system punishable as a Class C felony and carrying a \$250,000 fine. The same penalties would apply to damaging a wastewater treatment facility.

Sen. Paul Newton, the lead Senate sponsor, told committee members the changes were needed to provide further deterrence to those who may try to attack critical infrastructure. A committee vote on the legislation is expected next Wednesday. The bill is also scheduled to be considered by the Senate Judiciary Committee before heading to the Senate floor.



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