

**GENERAL ASSEMBLY OF NORTH CAROLINA**

**SESSION 1997**

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**HOUSE BILL 808**  
**Committee Substitute Favorable 4/28/97**

Short Title: Cary Tree Ordinances.

(Local)

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Sponsors:

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Referred to:

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April 3, 1997

**A BILL TO BE ENTITLED**

**AN ACT TO AUTHORIZE THE TOWN OF CARY TO ADOPT ORDINANCES  
REGULATING REMOVAL, REPLACEMENT, AND PRESERVATION OF  
TREES AND SHRUBS WITHIN THE TOWN AND AREAS WITHIN THE  
TOWN'S EXTRATERRITORIAL PLANNING JURISDICTION.**

The General Assembly of North Carolina enacts:

Section 1. In order to preserve and enhance one of the most valuable natural resources of the community and to protect the health, safety, and welfare of its citizens, a municipality may adopt ordinances to regulate the planting, removal, and preservation of trees and shrubs on public and private property within the municipality. Any ordinance adopted pursuant to this act may not regulate the harvest of timber on privately owned property. If a clear cutting occurs on property subject to an ordinance adopted pursuant to this act, the city may provide by ordinance that no plan approval for development of the property will be granted by the town for a period of up to 12 months following the clear cutting.

Section 2. Prior to adopting an ordinance authorized by Section 1 of this act, a public hearing shall be held before the municipality's governing board. Notice of the hearing shall be given in accordance with G.S. 160A-364.

1           Section 3. This act shall apply only to the Town of Cary and to areas within  
2 the Town's extraterritorial planning jurisdiction under Article 19 of Chapter 160A of the  
3 General Statutes.

4           Section 4. This act is effective when it becomes law.