

**CHAPTER 3**

**FORSYTH COUNTY AIR QUALITY CONTROL<sup>1</sup>**

**SUBCHAPTER 3A - AIR POLLUTION CONTROL REQUIREMENTS**

**SECTION .0200 - ADVISORY BOARD**

**Section .0201            Established; Composition; Terms of Members**

Under provisions of a resolution adopted by the Board of Commissioners, there is established the Forsyth County Environmental Affairs Board, such Board consisting of seven (7) members. The Board is hereinafter referred to as the Advisory Board. The initial terms of the members shall be as indicated in the resolution establishing the Advisory Board, with their successors to be appointed for terms of three (3) years. Each member shall be subject to reappointment and the privilege of serving for successive terms. The Advisory Board shall have such duties and responsibilities as are set forth in the resolution establishing said Board and the Code, including but not limited to air quality matters. (Ord. of 1-24-72, §2.041; Ord. No. 7-76, §1, 6-7-76; Ord. No. 9-94, 12-19-94)

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|                     | <b>Date Submitted<br/>To EPA</b> | <b>Date Approved<br/>by EPA</b> | <b>Federal<br/>Register</b> |
|---------------------|----------------------------------|---------------------------------|-----------------------------|
| <b>Original Reg</b> | <b>JUN 14, 1990</b>              | <b>MAY 2, 1991</b>              | <b>56 FR 20140</b>          |
| <b>1st Revision</b> | <b>MAR 7, 1994</b>               | <b>FEB 1, 1996</b>              | <b>61 FR 3586</b>           |

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<sup>1</sup>**Cross references**--Buildings and building regulations, Ch. 7; erosion control, Ch. 9; fire prevention and protection, Ch. 10; zoning ordinance, Ch. 23.

**State law references**--Air pollution control, G.S. §143-215.105 *et seq.*; authority of Board of County Commissioners to establish, administer, and enforce a local air pollution control program. G.S. §143-215.112(c); authority to levy taxes to maintain and administer such program, G.S. §153A-149(c)(3).

**Section .0202            Secretary**

The Director of the Environmental Affairs Department shall be the secretary of the Advisory Board. (Ord. of 1-24-72, §2.041; Ord. No. 7-76, §1, 6-7-76; Ord. No. 9-94, 12-19-94)

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**Section .0203            Meetings**

The Advisory Board shall meet at the call of its chairman or the Director, or at the written request of four (4) members of such Board. (Ord. of 1-24-72, §2.041; Ord. No. 7-76, §1, 6-7-76; Ord. No. 9-94, 12-19-94)

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**Section .0204            To Serve in Advisory Capacity; General Functions**

The Advisory Board shall serve in an advisory capacity to the Board of County Commissioners and the Director. It shall be its function to conduct public hearings on all matters brought before it, and subsequent to such hearings to present recommendations to the Board of County Commissioners or the Director, whichever is appropriate. (Ord. of 1-24-72, §2.042; Ord. No. 9-94, 12-19-94)

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**Section.0205****Appeals to and Other Appearances Before Board**

(a) Any person taking exception to any decision, ruling, violation notice, civil penalty, permit or Special Order issued by the Director may appeal to the Advisory Board. The appeal must be made within 30 days of notice of the decision, ruling, violation notice, civil penalty, permit or Special Order. Any person wishing to bring a matter before the Advisory Board shall notify the Director, in writing, and furnish all facts necessary to enable the Advisory Board to consider the matter. To that end, any person is privileged to appear before the Advisory Board and bring representatives, consultants and witnesses to be heard relative to the matter concerning which he seeks action by the Advisory Board, provided advance notice is given to the Director of the subject matter to be considered.

(b) Any person taking exception to any decision, ruling, violation notice, civil penalty, permit or Special Order issued by the Director, after an appeal to the Advisory Board, may request judicial review of the administrative decision as provided by Rule .0109 of this Subchapter. (Ord. of 1-24-72, §2.042; Ord. No. 3-92, 4-13-92; Ord. No. 4-93, 10-11-93; Ord. No. 9-94, 12-19-94)

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**Section .0206            Opinions not Binding**

Opinions rendered by the Advisory Board are not binding, but shall be recommendatory only to the Board of County Commissioners and the Director. (Ord. of 1-24-72, §2.042; Ord. No. 9-94, 12-19-94)

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