

15A NCAC 02T .0506 SETBACKS

(a) The setbacks for irrigation sites shall be as follows:

	Spray (feet)	Drip (feet)
Each habitable residence or place of assembly under separate ownership or not to be maintained as part of the project site	400	100
Each habitable residence or place of assembly owned by the permittee to be maintained as part of the project site	200	15
Each private or public water supply source	100	100
Surface waters such as intermittent and perennial streams, perennial waterbodies, and wetlands	100	100
Groundwater lowering ditches where the bottom of the ditch intersects the SHWT	100	100
Surface water diversions such as ephemeral streams, waterways, and ditches	25	25
Each well with exception of monitoring wells	100	100
Each property line	150	50
Top of slope of embankments or cuts of two feet or more in vertical height	15	15
Each water line from a disposal system	10	10
Subsurface groundwater lowering drainage systems	100	100
Public right of way	50	50
Nitrification field	20	20
Each building foundation or basement	15	15
(b) The setbacks for treatment and storage units shall be as follows:	(feet)	
Each habitable residence or place of assembly under separate ownership or not to be maintained as part of the project site	100	
Each private or public water supply source	100	
Surface waters such as intermittent and perennial streams, perennial waterbodies, and wetlands	50	
Each well with exception of monitoring wells	100	
Each property line	50	

(c) Achieving the reclaimed water effluent standards established in 15A NCAC 02U .0301 shall permit the system to use the setbacks set forth in 15A NCAC 02U .0701(d) for property lines, and the compliance boundary shall be at the irrigation area boundary.

(d) Setback waivers shall be written, notarized, signed by all parties involved, and recorded with the county Register of Deeds. Waivers involving the compliance boundary shall be in accordance with 15A NCAC 02L .0107.

(e) Setbacks to property lines established in Paragraphs (a) and (b) of this Rule shall not be applicable if the permittee, or the entity from which the permittee is leasing, owns both parcels separated by the property line.

(f) Habitable residences or places of assembly under separate ownership constructed after the non-discharge facilities were originally permitted or subsequently modified are exempt from the setback requirements in Paragraphs (a) and (b) of this Rule.

*History Note: Authority G.S. 143-215.1; 143-215.3(a);
Eff. September 1, 2006;
Amended Eff. June 18, 2011;
Readopted Eff. September 1, 2018.*