

15A NCAC 10A .0503 PROCEDURE

(a) A request for a declaratory ruling shall be in writing and sent to the Executive Director of the Wildlife Resources Commission at 1701 Mail Service Center, Raleigh, NC 27699-1700 for U.S. Postal Service delivery, or 1751 Varsity Drive, Raleigh, NC 27606-2576 for other delivery services or in person. The request shall contain:

- (1) names and addresses of persons requesting the ruling;
- (2) designation of the person or persons authorized to receive the ruling or communication relative thereto, if different from those requesting;
- (3) statement of the material facts and circumstances sufficient to show the existence and nature of the controversy and the relation of the parties with respect thereto;
- (4) identification of the specific rule or statute involved;
- (5) the specific question to be ruled upon;
- (6) a statement that the substance of the request is not pending for decision before a court or another agency of government;
- (7) signature of the persons making the request or of one or more authorized representatives of such persons, indicating the capacity of such representation; and
- (8) verification by, or on behalf of, the persons making the request.

(b) The verification of a request for a declaratory ruling shall be executed before an official authorized to administer oaths.

(c) The request for a declaratory ruling shall be marked or stamped with the date of receipt, and the Commission shall respond to the request as required by G.S. 150B-4(a1).

(d) The Commission's response to a request for a declaratory ruling is a written communication, addressed to the persons requesting the ruling or to the person or persons authorized in the request to receive the ruling or communications relative thereto, containing the following:

- (1) reference to the request for declaratory ruling;
- (2) reference to authority for the ruling;
- (3) names and addresses of the persons affected by the ruling, unless it is general in effect and is so indicated;
- (4) recital of the material facts on which the ruling is based, or reference to the facts as stated in the request;
- (5) the ruling;
- (6) date of issue; and
- (7) signature of Executive Director.

(e) A declaratory ruling issued by the Commission or the Executive Director and the communication denying such a ruling shall be sent by registered mail, return receipt requested, to the persons requesting the ruling, or to persons designated in the request to receive the ruling or communications relative thereto.

*History Note: Authority G.S. 150B-4;
 Eff. February 1, 1976;
 Amended Eff. April 15, 1979;
 Readopted Eff. May 1, 2024.*