

ROCKSLIDES: AN EXAMINATION OF LEGISLATION IN DIFFERENT STATES

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FOREWORD

This report was undertaken in response to Senate Concurrent Resolution No. 98, H.D. 1 (2006). The Bureau was requested to contact the National Conference of State Legislatures for legislation relating to development permitting in areas subject to rockslides.

This study summarizes and discusses the twenty-four specific state laws submitted by the National Conference of State Legislatures in its search for relevant legislation. In addition, the study examines relevant precedents in tort law involving rock or landslides. Finally, relevant ordinances, regulations, and policies of the counties in the State that address permitting for developments in areas subject to rock- and landslides are discussed.

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December 2006

FACT SHEET

The Legislature adopted S.C.R. No. 98, H.D. 1 in 2006, the impetus for which was a private landowner's intent to develop land on sloped terrain located above existing homes in the Nuuanu area on Oahu. Existing downhill homeowners believe it would create rockfall, landslide, and flooding hazards. The State also owns land uphill of the proposed development, exposing the State to potential liability should rocks fall from state land.

The Resolution directed the Bureau to contact the National Conference of State Legislatures (NCSL) for laws in other jurisdictions relating to permitting development in areas subject to rockslides. The NCSL conducted a full-text search of the statutes of all fifty states, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands. Of the NCSL shortlist of 24 statutes culled from a larger list of 241, most were not directly relevant. Our examination of these statutes showed that regulation of the permitting process for developments in areas with a potential for rock- or landslides more appropriately resides at the county level.

The Bureau also examined the scope and degree of relevant county regulation in Hawaii. The City and County of Honolulu appears to have the most extensive set of relevant policies, ordinances, and regulations. Overall, the regulatory environment in the City and County of Honolulu appears adequate to address any concerns about rockfalls, particularly when each permit is evaluated on a case-by-case basis. Hawaii County stated that it did not have any ordinance that specifically addresses regulating proposed developments on or nearby steep terrain. Regarding zoning, the Hawaii County response noted that the existing process would naturally look at such hazards in any rezoning as a matter of common sense. Currently in Hawaii County, it would be the architect's responsibility to address such hazards.

The Resolution discussed the issue of liability but did not request the Bureau to address it. An unspoken concern may exist that the State and the counties, as parties with perceived "deep pockets," may be exposed to liability risk if a rockslide were to occur. Consequently, we examined relevant legal decisions to determine whether appellate courts had established any broad "bright lines" specifically applicable to rockslides. If anything, the relatively small number of cases seems to leave the determination of liability dependent upon the specific facts and circumstances of each case.

Although deep-pocket jurisdictions, understandably, will always be concerned about being targeted, they apparently will not automatically be held liable. The cases we examined showed that, even if a public body negligently contributed to a landslide or rockfall, the evidence must show that such negligence was the proximate cause of damage to a claimant.

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Chapter 1

INTRODUCTION

S.C.R. No. 98, H.D. 1: S.C.R. No. 98, H.D. 1 (2006) -- the measure to which this report responds -- is attached as *Appendix A*. The impetus for this resolution was a private landowner's intent to develop land on sloped terrain located above existing homes in the Nuuanu area on Oahu. Existing homeowners sited below the proposed fifty-acre subdivision petitioned against the development. These homeowners believed that the new development would create rockfall, landslide, and flooding hazards. The resolution further identified the State as the owner of land uphill of the proposed development, exposing the State to liability should rocks fall from state land onto the proposed development.

The resolution urged the City and County of Honolulu to "proceed with caution in reviewing any developments proposed to be built on steep terrain and to require all necessary engineering and geotechnical studies to ascertain and ensure public health and safety."

The resolution also asked the Legislative Reference Bureau to "contact the National Conference of State Legislatures and other states and county jurisdictions for statutes, ordinances, and rules relating to permitting development in areas subject to rockslides."

Organization of the Study: Chapter 2 presents the results of a search by the National Conference of State Legislatures, as requested by the resolution, for relevant legislation in other jurisdictions. In addition, this chapter sets out the relevant ordinances and policies of the counties in the State. Chapter 3 examines relevant legal precedents in tort cases. Chapter 4 presents the study's brief conclusions.

Chapter 2

LEGISLATION IN OTHER JURISDICTIONS AND HAWAII

Legislation in Other Jurisdictions: S.C.R. No. 98, H.D. 1 (2006), specifically directed the Bureau to contact the National Conference of State Legislatures (NCSL) for statutes, ordinances, and rules relating to permitting development in areas subject to rockslides. NCSL responded with a memorandum citing twenty-four statutes culled from an original list of 241 citations. The memorandum is attached as *Appendix B*. The original listing of NCSL's search resulting in the 241 citations is attached as *Appendix C*. The full-text search included statutes of all fifty states, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands.

NCSL Memo: The NCSL cited twenty-four statutes that it considered relevant.¹ However, further analysis shows that, although some of the legislation tangentially deal with sloping terrain, potential rock- or landslides, and flooding, very few statutes directly address development permitting in the context of safeguarding property and public safety. None address the issue of liability.

Summary of NCSL Shortlist of Statutes: Most of the statutes on the NCSL shortlist are environmental protection measures that are not intended to guide development permitting or ensure the safety and protection of downslope inhabitants or property. Furthermore, these state statutes operate at the policy level, establishing broad statewide policies. At the operational level, it is the local jurisdictions that are left to adopt and enforce relevant local ordinances or regulations tailored to fit local conditions. The statutes are numbered and listed in the order reported in the NCSL memorandum for ease of reference.

- Only two -- Connecticut [4] and New Mexico [16] -- directly address the protection of life and property as opposed to protection of the environment.
 - In the case of New Mexico, steep terrain and rockslides are not the source of the danger; it is flooding and consequent mudslides.
 - Connecticut [4] introduces the concept of a setback zone for development near ridgelines with a 50% slope.
- Maryland [11] uses a buffer zone, but to protect nontidal wetlands in an environmental context.
- Maine [10] restricts development on land with a slope greater than 30%, in the context of protecting waters and navigation.

1. NCSL, Douglas Shinkle, research analyst, in memorandum dated September 13, 2006. Statutes include legislation from Alaska, California, Connecticut, Georgia, Idaho, Maine, Maryland, New Hampshire, New Jersey, New Mexico, Pennsylvania, Rhode Island, South Carolina, Virginia, and Washington.

- New Jersey [14] prohibits development on preservation lands with slopes of 20% or greater. However, if a disturbance is unavoidable, various buffer zones are required.
- Another New Jersey statute [15] requires various relevant factors to be taken into consideration when setting standards for development on preservation lands with slopes having a gradient between 10% and 20%.

Discussion of NCSL Shortlist of Statutes: A detailed analysis of each of the twenty-four citations follows.

[1] Alaska Statutes, Title 46 Water, Air, Energy, and Environmental Conservation, Chapter 40 The Alaska Coastal Management Program, Article 3 General Provisions, §46.40.210 Definitions.

Statute: Identifies seven areas of "special attention" for significant hazard e.g., due to storms, slides, floods, or erosion for current or future planning, protection, or land acquisition.

Analysis: Identifies areas prone to slides, floods, or erosion but within the context of environmental conservation. Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

[2] West's Annotated California Codes, Public Resources Code, Division 19 Suisun Marsh Preservation, Chapter 5 Responsibilities of the Commission and Local Agencies, Article 1 Local Protection Program, §29405 Local program for a particular secondary management area; ordinances.

Statute: Relating to marshlands, requires county ordinances that control grading, erosion, sediment, runoff, and creekside development that take into consideration "seismic hazards and unusually erodible and landslide-prone soils" to prevent increased sedimentation.

Analysis: As an environmental protection measure, does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property. Is relevant only to the extent that seismic hazard and erodible soils contribute to rockslides on any terrain.

[3] West's Annotated California Codes, Public Resources Code, Division 20 California Coastal Act, Chapter 6 Implementation, Article 2 Procedure For Preparation, Approval, and Certification of Local Coastal Programs, §30526 Coastal development in Los Penasquitos Lagoon area in City of San Diego; mitigation fee program.

Statute: Mandates San Diego to require applicants for coastal development permits to pay fees to fund mitigation measures that protect coastal resources within specific geographic watersheds.

Analysis: Protects wetlands from development. Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

[4] Connecticut General Statutes Annotated, Title 8 Zoning, Planning, Housing, Economic and Community Development and Human Resources, Chapter 124 Zoning, §8-1aa Ridgeline protection: Definitions, and §8-2 Regulations.

Statute: §8-2(c) authorizes local zoning commissions "to provide for development restrictions in ridgeline² setback areas" in municipalities where "a traprock ridge, as defined in section 8-1aa,³ or an amphibolite ridge, as defined in section 8-1aa,⁴ is located"

Requires a ridgeline setback, defined as "the area bounded by (A) a line that parallels the ridgeline at a distance of one hundred fifty feet on the more wooded side of the ridge, and (B) the contour line where a ridge of less than fifty per cent is maintained for fifty feet or more on the rockier side of the slope."

Analysis: This relevant statute requires setback area restrictions for development near hills or mountains with a slope of 50% and is intended to protect the safety of downslope residents. Implicit is the danger of rock falls and slides on steep slopes.

[5] Connecticut General Statutes Annotated, Title 8 Zoning, Planning, Housing, Economic and Community Development and Human Resources, Chapter 126 Municipal Planning Commission, §8-25 Subdivision of land.

Statute: Requires local planning and zoning commissions to enact regulations to protect health and the public safety for land subdivisions including downstream flood drainage.

Analysis: Deals with flooding and does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

2. The statute defines a ridgeline as the "line on a traprock or amphibolite ridge created by all points at the top of a fifty per cent slope, which is maintained for a distance of fifty horizontal feet perpendicular to the slope and which consists of surficial basalt geology, identified on the map prepared by Stone et al., United States Geological Survey, entitled "Surficial Materials Map of Connecticut."

3. The definition of "traprock ridge" in §8-1aa merely identifies a number of hills and mountains in Connecticut. According to a web definition, "Because of the regular vertical fracture planes plus frequent horizontal fractures, trap rock tends to appear in orderly structures resembling piles of blocks, sometimes reminiscent of stairs and inspiring the term 'trap', which derives from a Scandinavian word meaning 'steps' or 'stairs'." Wikipedia, at <http://www.answers.com/topic/trap-rock>.

4. The definition of "amphibolite ridge" in §8-1aa similarly names five specific Connecticut hills and mountains. "Amphibolite" is a class of "rocks that occur as extensive layers widely distributed in mountain belts and deeply eroded shield areas of the continental crust. Amphibolite is the main country rock that has been intruded by the large granite masses found in most mountain ranges. McGraw-Hill, Access Science, Encyclopedia of Science and Technology Online, at http://www.accessscience.com/Encyclopedia/0/02/Est_029800_frameset.html?doi.

[6] Connecticut General Statutes Annotated, Title 22a Environmental Protection, Chapter 444 Coastal Management, §22a-92 Legislative goals and policies.

Statute: Declares coastal land and water resources policy to manage coastal bluffs; discourage slope erosion; manage coastal hazard areas to minimize hazards to life and property; and promote solutions to flood and erosion problems.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property. Cited as an NCSL "hit" probably due to appearance of the terms "slope" and "erosion" in text.

[7] West's Code of Georgia Annotated, Title 12 Conservation and Natural Resources, Chapter 7 Control of Soil Erosion and Sedimentation, §12-7-6 Best management practices required for all land-disturbing activities; minimum standards for rules and regulations, ordinances and resolutions.

Statute: Deals with erosion, sediment control, and flooding as a conservation measure.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

[8] West's Idaho Code Annotated, Title 67 State Government and State Affairs, Chapter 65 Local Land Use Planning, §67-6508 Planning duties.

Statute: Requires local planning and zoning commission to prepare "an analysis of known hazards that may result from susceptibility to surface ruptures from faulting, ground shaking, ground failure, landslides or mudslides; avalanche hazards resulting from development in the known or probable path of snowslides and avalanches, and floodplain hazards."

Analysis: Treats analysis of and acknowledges landslide hazard as a general principle at the higher level of a comprehensive land use plan. Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property at the lower level of development permitting.

[9] Maine Revised Statutes Annotated, Title 12 Conservation, Part 2 Forests, Parks, Lakes and Rivers, Chapter 206-A Use Regulation, Subchapter 2 Maine Land Use Regulation Commission, §685-A. Land use districts and standards.

Statute: Requires the Maine Land Use Regulation Commission to adopt regulations to determine the boundaries of certain land use districts.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

[10] Maine Revised Statutes Annotated, Title 38 Waters and Navigation, Chapter 3 Protection and Improvement of Waters, Subchapter I Environmental Protection Board, Article 6 Site Location of Development, §488 Applicability.

Statute: Exempts a development that consists of only one subdivision from certain environmental protection requirements relating to waters and navigation if ten conditions are met. The relevant condition here is that "no clearing, grading, filling or other development activity occurs on sustained slopes in excess of 30%."

Analysis: Operates in the context of environmental protection of waters and does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property. However, it does provide specific guidance on the acceptable grade of a slope.

[11] West's Annotated Code of Maryland, Environment, Title 5 Water Resources, Subtitle 9 Nontidal Wetlands, §5-906. Permit requirements; buffers.

Statutes: Provides for buffers up to 100 feet for nontidal wetlands to protect the associated aquatic ecosystem.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property. However, it does employ the concept of a buffer zone.

[12] Revised Statutes Annotated of New Hampshire, Title XII. Public Safety and Welfare, Chapter 155-E Local Regulation Excavations, §155-E:3 Application for Permit.

Statute: Requires owners planning to excavate their property to obtain a permit from city or town regulators describing the "breadth, depth, and slope" of the proposed excavation.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property. ("Slope" triggered a hit.)

[13] New Jersey Statutes Annotated, Title 13 Conservation and Development--Parks and Reservations, Chapter 20 [Highlands Water Protection], §13:20-12 Land use capability map.

Statute: Mandates a statement of policies to plan and manage the development of preservation land use, including minimum standards governing development regulations including "construction on steep slopes."

Analysis: Protects preservation land. Implicitly acknowledges inherent dangers of building on slopes. However, does not prescribe those minimum standards, limit the degree of slopes, describe a slope's other characteristics, or require any other restrictions related to building on such slopes.

[14] New Jersey Statutes Annotated, Title 13 Conservation and Development--Parks and Reservations, Chapter 20 [Highlands Water Protection], §13:20-30 Highlands Preservation Area approval; requirements; application.

Statute: Requires approval from Department of Environmental Protection for "all major Highlands development in the preservation area." Requires, among other things:

- A prohibition on development on steep slopes with a grade of 20% or greater.
- A prohibition on development that disturbs upland forested areas, in order to prevent soil erosion and sedimentation. If disturbance is unavoidable, the disturbance is allowed to an area of no more than 20 feet directly adjacent to a structure and no more than 10 feet on each side of a driveway as necessary to access a non-forested area of a site.

Analysis: Requires approval for environmental protection purposes, not for protection of life and property from rockslides. Nonetheless, specifies a threshold slope gradient of 20% beyond which development is prohibited. The 20-foot and 10-foot buffers may also be useful to consider for developments in Hawaii that lie adjacent to DLNR-managed lands.

[15] New Jersey Statutes Annotated, Title 13 Conservation and Development--Parks and Reservations, Chapter 20 [Highlands Water Protection], §13:20-32 Rules and regulations establishing environmental standards for preservation area.

Statute: Requires Department of Environmental Protection to adopt rules regarding development in preservation areas that:

- Prohibit development on land with a grade of 20% or greater.
- Set standards for development on land with a grade between 10% and 20% for environmental protection purposes. Requires taking into consideration "differing soil types, soil erodability, [sic] topography, hydrology, geology, and vegetation types."

Analysis: Focuses on environmental protection. However, does prohibit development on preservation land with a specific slope of 20% or greater and prescribes factors to consider for

development on preservation land with a gradient between 10% and 20%, such as soil type, erodibility, topography, geology (presumably including existence of rocks), vegetation types, and hydrology.

[16] West's New Mexico Statutes Annotated, Chapter 3 Municipalities, Article 18 Powers of Municipalities, §3-18-7 Additional county and municipal powers; flood and mudslide hazard areas; flood plain permits; land use control; jurisdiction; agreement.

Statute: To mitigate flood damage or mudslides and to promote health, safety, and the general welfare, requires counties or municipalities in identified flood or mudslide hazards areas to (among other things):

- Prescribe standards for constructing, altering, installing or repairing buildings and other improvements under a permit system.
- Require review by the local flood plain manager for development within a designated flood or mudslide hazard area, provided final decisions are approved by the local governing body.
- Review subdivision proposals and other new developments within a designated flood or mudslide hazard area.

Analysis: Specifically protects the health, safety, and property of residents, vis-à-vis protecting the environment. However, focuses more on floods and consequent mudslides rather than on steep slopes or rock falls. Legislation at state level requires specific standards to be set at county and municipal levels.

[17] Purdon's Pennsylvania Statutes and Consolidated Statutes Annotated, Title 53 P.S. Municipal and Quasi-Municipal Corporations, Part I General Municipal Law, Chapter 30 Planning and Development, Article VI. Zoning, §10609.1. Procedure for landowner curative amendments.

Statute: Requires local zoning hearing boards to consider certain factors when granting a variance from a local zoning ordinance (propose a "curative amendment") including:

- Suitability of the site considering the site's soils, slopes, woodland, wetlands, etc.
- Environmental impact of the proposed use on the site's soils, slopes, etc.

Analysis: Tangentially relevant in requiring consideration of a site's "slope"; otherwise does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

- [18] **General Laws of Rhode Island Annotated, 1956, Title 45 Towns and Cities, Chapter 46 Soil Erosion and Sediment Control, §45-46-1. Soil Erosion and Sediment Control Plan.**

Statute: Requires Department of Environmental Management to work with landowners to implement conservation plans and activities.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

- [19] **Code of Laws of South Carolina 1976 Annotated, Title 48 Environmental Protection and Conservation, Chapter 9 Soil and Water Conservation Districts Law, Article 1 General Provisions, §48-9-20 Legislative declaration of purpose.**

Statute: Discourages improper land use practices that cause erosion and a variety of negative environmental effects and encourages appropriate conservation practices.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

- [20] **Code of Laws of South Carolina 1976, Annotated, Title 48 Environmental Protection and Conservation, Chapter 39 Coastal Tidelands and Wetlands, §48-39-280 Forty-year retreat policy.**

Statute: Deals with beach and shoreline erosion involving setbacks.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

- [21] **West's Annotated Code of Virginia, Title 15.2 Counties, Cities and Towns, Subtitle II Powers of Local Government, Chapter 22 Planning, Subdivision of Land and Zoning, Article 6 Land Subdivision and Development, §15.2-2241 Mandatory provisions of a subdivision ordinance.**

Statute: Requires a subdivision ordinance to include reasonable regulations for various zoning and construction matters.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

- [22] **West's Annotated Code of Virginia, Title 15.2 Counties, Cities and Towns, Subtitle II Powers of Local Government, Chapter 22 Planning, Subdivision of Land and Zoning, Article 7 Zoning, §15.2-2309 Powers and duties of boards of zoning appeals.**

Statute: Grants certain powers to zoning appeals boards.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

- [23] **West's Revised Code of Washington Annotated, Title 79 Public Lands, Chapter 11 State Land Sales, Part 1--Sale Procedures, §79.11.080 Inspection and appraisal.**

Statute: Requires state to inspect certain elements of state land to be appraised for sale.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

- [24] **West's Revised Code of Washington Annotated, Title 79 Public Lands, Chapter 13, Land Leases, Part 1--General Provisions, §79.13.040 Inspections--Surveys.**

Statute: Requires state to inspect certain elements of state land to be appraised for lease.

Analysis: Does not address rockslides or development permitting as they affect liability or the safety of downslope inhabitants or property.

City and County of Honolulu Regulation: Regarding the earlier S.D. 1 version of S.C.R. No. 98 (2006), the City and County of Honolulu testified, among other things, that:⁵

- (1) General (blanket, across-the-board) standards such as buffer zones, setbacks, reinforced barriers, and other mitigative measures, are inappropriate;
- (2) Mitigative measures, if required, should be made on a case-by-case, site-specific basis, as is presently required;
- (3) The City and County of Honolulu already has existing permit and construction plan review processes that are believed to adequately address issues related to potential rock falls and landslides;
- (4) Regional plans, subdivision approval, grading and land use permits, and administrative policies currently consider and address the effects of unstable soils and steep lands;

5. Letter dated April 21, 2006, from Henry Eng, Director of Planning and Permitting, City and County of Honolulu, to Chairperson Honorable Ezra Kanofo, Committee on Water, Land and Ocean Resources.

- (5) The City and County of Honolulu currently requires hillside developers to provide soil studies confirming the stability of the soil and to provide mitigation measures in the event hazards are identified.

We asked the City and County of Honolulu's Department of Planning and Permitting to identify the specific ordinances that currently address potential hazards from rock falls or landslides, including any requirements for mitigative measures or soil studies. The Department offered the following:⁶

- (1) A copy of Honolulu Ordinance 04-27; and
- (2) A summary of Honolulu's land use controls and policies regarding the development of land with steep slopes or unstable soil conditions.

Honolulu Ordinance 04-27: This ordinance authorizes, under certain conditions, the Director of Planning and Permitting to require the submittal of an engineering slope hazard report with a grading or building permit application. This "engineering slope hazard report" is defined as a report "that utilizes the application of engineering and geologic knowledge and principles in the investigation, evaluation and mitigation of hazards posed by potential rock, soil or other slope movement."

Specifically, in section 14-14.2(d)(2), Revised Ordinances of Honolulu 1990:

"If the proposed grading includes modification to an existing slope with a cut greater than 15 feet in height and a grade steeper than 40 percent, an evaluation of slope hazards is required and the findings of the evaluation shall be included in a report. The slope hazard evaluation shall, at a minimum, include an evaluation of hazards posed by potential rock, soil and other slope movement to the proposed development, and an evaluation of the hazard posed to adjacent existing properties or buildings by the proposed grading. The engineering slope hazard report and construction plans shall include mitigative measures to minimize the hazards posed by the potential rock, soil and other slope movement as well as the threat the development poses to properties adjacent to the proposed grading."

Also, section 14-15.1(n), Revised Ordinance of Honolulu, was enhanced by adding a requirement in section 14-15.1(n)(2) as follows:

"Where a slope hazard and evaluation and mitigation plan was required to be submitted with a grading permit application, the permittee shall submit a final assessment report, prepared by an engineer, upon the completion of site work, prior to building construction. The assessment report shall contain a verification that the prevention measures and any stabilization measures called for in the engineering slope hazard report or construction

6. Email dated October 26, 2006, from Marvin Fukagawa, Department of Planning and Permitting, City and County of Honolulu, including two attachments: (1) Ordinance 04-27; and (2) letter dated August 6, 2003, from Eric Crispin, Director of Planning and Permitting, to Councilmember Honorable Gary Okino in response to Resolution 01-225 regarding the adequacy of land use controls on land with steep slopes or unstable soil conditions.

plans were done in conformity with this chapter, and the approved plans and specifications."

Finally, in section 18-4.1(j), Revised Ordinances of Honolulu:

"If the application proposes excavation and backfill work that does not require a grading permit under Section 14-13.5(b), the building official, if deemed necessary to protect or promote public safety, may require the submittal of an engineering slope hazard report. Such a report means the same as defined under Section 14-13.3. The report shall have the same information required for an engineering slope hazard report under Section 14-14.2(d)(2)."

Current Honolulu Land Use Control Policies: Resolution 01-225 (2001) requested Honolulu's Department of Planning and Permitting to "assess the adequacy of current land use controls regarding the development of land with steep slopes and/or unstable soil conditions based on the latest civil, soils, structural engineering and geological findings." The Department replied in a letter dated August 6, 2003, in which it expressed a belief that Honolulu had "reasonable land use control measures in place to regulate the development of land in our county."

Case-by-Case Determination: The Department asserted that the determination to permit land development on certain lands must be done on a case-by-case basis. It believed that the "building and grading permit processes ... would serve as a reasonable means to protect the public's health, safety and welfare." In support of this, the Department cited a U. S. Geological Survey (USGS) study of the different surficial materials on the hillsides and valleys of Honolulu. Regarding the March 27, 1992, USGS report, the Department stated:

"After analyzing more than 1,000 soil-boring logs, the USGS summarized their findings regarding the origins and distribution of landslide-susceptible materials ... [and] ... produced two significant findings. The first is that existing compiled data do not permit distinction between susceptible and non-susceptible areas. Secondly, it must be recognized that Versitol (i.e., material that constitutes the failure surface of landslides) is located in the subsurface. The problem of identifying areas susceptible to slow-moving landslides has now become a problem of locating where Versitol occurs. Therefore, a strategy for identifying areas susceptible to formation of slow-moving landslides must now include recognition of potential locations of the troublesome material as well as locations of unfavorable subsurface hydrology and loading conditions such as position on the hillside and slope steepness."

Summary of Honolulu Regulatory Controls: In its August 6, 2003, letter, the Department proceeded to summarize Honolulu's regulatory controls, including regional plans, subdivision approval, grading and land use permits, and administrative policy, as follows:

- Central Oahu, East Honolulu, Ewa, Koolauloa, Koolaupoko, North Shore and Waianae Development/Sustainable Communities Plans

These seven plans are the result of the Development Plan Revision Program, which began in 1993 to implement changes required by the 1992 City Charter changes.

With the exception of the Ewa Development Plan, these revised development plans contain several policy statements related to unstable soils or development on sites with a slope greater than 20%.... To make the Ewa Development Plan consistent with the other plans, formal policy statements related to soils and slopes will be proposed as part of the Five-Year-Plan Review scheduled for completion in 2003.

In general, it is intended that these areas will not be developed with uses unsuitable to their designations or in ways that may tend to exacerbate those hazards. However, it must be noted that geotechnical conditions vary from location to location.

- **Land Use Ordinance (LUO)**

The LUO offers optional processes for the development or redevelopment of land. These include flexible site design such as cluster housing and planned development housing (PD-H). Section 21-8.50-11(e) states that no cluster or PD-H shall be granted approval if the land is found by the Director, upon consultation with other government agencies, to be unsuitable for the proposed use based on unstable subsurface, susceptibility to slides or similar hazards, adverse earth or rock formation or topography, or other features or conditions likely to be harmful or dangerous to the health, safety or welfare of future residents of the proposed project or to the surrounding neighborhood or community.

Approval shall not be granted unless satisfactory protective improvements or other measures have been proposed by the applicant and approved by the Director in consultation with other governmental agencies.

Evaluations of zone change requests take into account soil type and topography. Where appropriate, conditions related to steeply sloped land or unstable soils are imposed.

- **Environmental Assessments (EA) and Environmental Impact State-ments (EIS)**

In general, an environmental assessment is required for the following actions:

1. The use of state or county lands or the use of state or county funds;
2. Use of lands within the state Conservation District;
3. Lands within the shoreline area as defined by Section 205A-41, HRS;
4. Lands within any historic site as designated in either the State or National Registers of Historic Places;
5. Lands in the city's Waikiki area, the boundaries of which are delineated in the LUO;
6. An amendment to the City's General Plan or Development Plan where such amendment would result in a designation other than agriculture, conservation, or preservation;
7. The reclassification of land classified as Conservation District by the State Land Use Commission under Chapter 205;
8. The construction of new or the expansion or modification of existing helicopter facilities within the state which, by way of their activities, may affect any land classified as Conservation District by the State Land Use Commission under Chapter 205; the shoreline area as defined in Section 205A-41; or any historic

site as designated in the National Register or Hawaii Register as provided in the Historic Preservation Act of 1966;

9. Major Special Management Area Use Permits (SMP); and
10. Major Zone Changes in areas under the revised Development Plans.

The EA/EIS must address several issues, some of which are as follows:

1. Description of the environmental setting;
2. Relationship of the proposed action to land use plans, policies and controls for the affected area;
3. Probable impact of the proposed action on the environment;
4. Any probable adverse environmental effects which cannot be avoided; an indication of what other interests and considerations of government policies are thought to offset the adverse environmental effects of the proposed action; and
5. Mitigation measures proposed to minimize impact.

Thus, if a proposed project involves development of land with steep slopes or unstable soil conditions, it will be revealed in the EA/EIS. The Department will then be able to provide appropriate comments when it is given an opportunity to review the document.

- **Subdivision Rules and Regulations (SRR)**

Subdivisions, site development plans for 3-6 dwellings on a single zoning lot and zero lot line developments are processed and approved in accordance with the SRR. One of the requirements of the SRR is the preparation of a preliminary map filed with the Director. According to Section 2-201(c)(7), the preliminary map shall include dangerous areas and features such as slide areas or falling boulder areas, likely to be harmful to the proposed subdivision or surrounding area.

Section 2-201(d) also states that after review of the preliminary map, other information, such as a soils report or drainage study may be required by the Director or upon consultation with other reviewing agencies.

Furthermore, Section 4-403 states that no subdivision shall be granted tentative approval of the preliminary map or approval of the final map if the land is found by the Director, upon consultation with other appropriate reviewing agencies, to be unsuitable for the proposed use by reason of geological conditions, unstable subsurface, proneness to slide or similar hazards, adverse earth or rock formation or topography, or other features or conditions likely to be harmful or dangerous to the health, safety, or welfare of future residents of the proposed subdivision or of the surrounding neighborhood or community, unless satisfactory protective improvements or other measures have been proposed or taken by the subdivider and approved by the Director or other appropriate agency.

- **1997 Uniform Building Code**

Chapter 18 (Foundations and Retaining Walls) set[s] forth requirements for excavation and fills for any building or structure and for foundations and retaining walls. Under this chapter, the DPP [Department of Planning and Permitting] may require a submission of a geotechnical report for a project, prepared by an engineer or

architect licensed by the State, to practice as such that includes the following information:

1. A plot showing the location of all test borings and/or excavations.
2. Descriptions and classifications of the materials encountered.
3. Elevation of the water table, if encountered.
4. Recommendations for foundation type and design criteria, including bearing capacity, provisions to mitigate the effects of expansive soils, provisions to mitigate the effects of liquefaction and soil strength, and the effects of adjacent loads.
5. Expected total and differential settlement.

Furthermore, when expansive soils are present, the DPP may require that special provisions be made in the foundation design and construction to safeguard against damage due to this expansiveness. The DPP may require a special investigation and report to provide these design and construction criteria.

- **Chapter 14, Article 14 (Permits, Bonds and Inspection for Grading, Soil Erosion and Sediment Control), Revised Ordinances of Honolulu**

This article regulates and controls grading, grubbing, stockpiling, soil erosion and sedimentation within the City. Section 14-14.2(d) requires an engineer's soils report be submitted whenever the proposed grading is on land with slopes exceeding 15 percent, the fill material will be a highly plastic clay, or the fill is to be used to support foundations for residential or other buildings.

The soils report shall include data regarding the nature, distribution and engineering characteristics of existing soils, the subsurface conditions at the site or the presence of groundwater when detected, and shall recommend limits for the proposed grading, the fill material to be used and the manner of placement, including the height and slopes of cut-and-fill sections.

In addition to the soils report, the engineer must also review the civil plans and prepare a letter stating that the plans reflect the intent of the recommendations presented in the report.

- **Building Permit Review for Hillside Developments**

On June 28, 2001, a letter was sent from DPP to Councilmember Romy M. Cachola. A flowchart was included to describe the building permit review process for projects within known slide or slide-prone areas.... The process is consistent with the requirements set forth in Chapter 18 of the Uniform Building Code as well as Chapter 14, Article 14 of the Revised Ordinances of Honolulu.

- **Administration's Policy on Hillside Development**

On October 12, 1995, former Managing Director Robert J. Fishman issued a policy memorandum to all City departments and agency heads advising them that the administration will not recommend approval on rezoning and Chapter 201E [*sic*, currently 201G, HRS] applications on properties with slopes 40 percent or greater and with poor, expansive soil conditions as follows:

1. Applications to rezone land from agriculture or preservation to urban use.
2. Applications to request building, zoning and land use exemptions under the provisions of Chapter 201E. *[sic, see above]*

Properties where only portions of the lot area have steep slopes and poor soils will have to be reviewed on a case-by-case basis. In general, only the flatter, more stable portions of the site would be suitable for residential or urban development.

Regulatory Controls in Hawaii, Kauai, and Maui Counties: Although only Oahu hillsides were of concern in S.C.R. No. 98, H.D. 1 (2006), we attempted to ascertain whether the neighbor islands also have regulatory controls similar to those on Oahu. In response to our inquiries, Hawaii county informed us that it did not have any ordinance that specifically addresses regulating proposed developments on or nearby steep terrain where there is a potential rock fall or landslide hazard. It further added that:⁷

"On the zoning (planning) issue, we would naturally look at such hazards in any rezoning as a matter of common sense (both the potential hazard to developing below a steep slope, as well as the potential that development on or above a slope would cause a hazard). Currently, it would be the Architect's responsibility when he/she sites a structure on a lot."

Neither Kauai County nor Maui County responded to our query.

7. Email dated November 13, 2006, from Joseph Kamelamela, Head, Litigation Division, Office of the Corporation Counsel, Hawaii County.

Chapter 3

APPELLATE COURT OPINIONS

Prior Tort Cases: S.C.R. No. 98, H.D. 1 (2006), discussed the issue of liability but did not request the Bureau to address it. An unspoken concern may exist that the State and the counties, as parties with perceived "deep pockets," may be exposed to liability risk when a rockslide occurs. Nonetheless, we are including a brief examination of legal decisions¹ to determine whether appellate courts had established broad "bright lines" specifically applicable to rockslides. The relatively small number of cases appears to leave the determination of liability in each situation dependent upon the specific facts and circumstances of each case. If nothing else, this would appear to argue against mandating categorical, across-the-board remedies or restrictions, such as buffer zones, setbacks, etc., on a formulaic basis.

Case One: The first case was decided in the Supreme Court of California in *Sprecher v. Adamson Companies et al.*, 30 Cal. 3d 358, 636 P.2d 1121 (1981). In a prior decision, the Superior Court had ruled for the uphill landowner on the downhill landowner's complaint for property damage that was "caused by natural slide condition" on the uphill land. However, the Supreme Court of California reversed and remanded, ruling that the:

[U]phill landowner owed a legal duty of reasonable care to downhill landowner to protect downhill landowner from harm caused by a natural condition of uphill landowner's land, with resulting liability for breach of such duty

The Facts of the Case: The following is a brief summary of the facts.

- The uphill land partly contained land classified as "active landslide" and which extends beyond the boundaries of the uphill property. The downhill land is located "within the toe of this slide." This condition has been evident as such since the area was first developed in the early 1900s. The land "exhibits periodic cycles of activity and dormancy." All parties agreed that the slide was a *natural condition* of the land and was not affected by the uphill landowner's activities.
- Heavy spring rains in March 1978 triggered a major slide movement. The downhill owner alleged that damage "proximately resulted from respondents' [uphill landowner] negligent failure to correct or to control the landslide condition."
- The uphill landowner argued that a possessor of land has no duty to remedy a *natural* condition of the land in order to prevent harm to property outside the premises. Since the landslide was a *natural* condition, the uphill landowner argued it was not liable

1. The Legislative Reference Bureau Library, with the assistance of Matthew Coke, Bureau researcher, searched the Westlaw database for cases that decided liability claims due to landslides, rockfalls, rockslides, and similar incidents. The search yield both public and private litigants.

for the damage and that its failure to remedy the landslide condition on the 90-acre parcel was reasonable under all the circumstances.

- The downhill landowner challenged the present validity of the *common law rule of nonliability for a natural condition*, arguing that the rule is neither premised upon sound public policy nor in accord with modern principles of tort liability.

The Ruling: The Supreme Court of California ruled the following:

- The case "concerns the present validity of the old common law which immunized a possessor of land from liability for injury caused by a natural condition of his land to persons or property not on his land."
- The "common law distinctions resulting in wholesale immunities" are struck down when they cannot withstand critical scrutiny. The court favors the "concept that a person is liable for injuries caused by his want of ordinary care in the management of his property or person."
- The court must balance several considerations: "foreseeability of harm to the plaintiff, the degree of certainty that the plaintiff suffered injury, the closeness of the connection between the defendant's conduct and the injury suffered, the moral blame attached to the defendant's conduct, the policy of preventing future harm, the extent of the burden to the defendant, and the consequences to the community of imposing a duty to exercise care with resulting liability for breach and the availability, cost, and prevalence of insurance for the risk involved."
- The history of California law reflects a general trend toward rejecting the common law distinction between natural and artificial conditions. Instead the courts are increasingly using ordinary negligence principles to determine a landowner's liability for harm caused by a condition of the land. A landowner has a duty of common prudence in maintaining his property in such a way as to prevent injury to his neighbor's property. The courts are moving toward jettisoning the common law rule in its entirety and replacing it with a single duty of reasonable care in the maintenance of property. Possession of land ordinarily brings with it the right of supervision and control. Thus, even if not the titled landowner, the one controlling and supervising the land has the affirmative duty to take due care to prevent a condition from causing harm.
- One who takes possession of land upon which there is an existing structure or other artificial condition unreasonably dangerous to persons or property outside of the land is subject to liability for physical harm caused to such persons or property by the condition after, but only after, the possessor of land:
 - Knows or should know of the condition
 - Knows or should know that it exists without the consent of those affected by it

- Has failed, after a reasonable opportunity, to make it safe or otherwise to protect such persons against it.²
- The liability imposed is for negligence. The question is whether, in the management of his property, the possessor of land acted as a reasonable person under all the circumstances.
- Summary judgment in favor of uphill landowners was reversed and remanded.

Case Two: The second case was decided in the Court of Appeals in Washington state in *Nejin v. City of Seattle*, 40 Wash. App. 414, 698 P.2d 615 (1985). In a prior decision, the Superior Court had entered judgment in favor of the landowner whose property was damaged; consequently, the city appealed. The Court of Appeals reversed and remanded, ruling that:

- (1) The break in city's sewer line was not disputed, thus there was a prima facie showing of the city's negligence;
- (2) The city had not inspected the sewer line since its 1929 installation; and
- (3) Though negligent in not reasonably inspecting its sewers, the city was not liable because there was no substantial evidence that the city's negligence proximately caused landslide damage to landowner's property.

The Facts of the Case: The following is a brief summary of the facts.

- There were two landslides -- one on December 16, 1977, and a second on January 9, 1978. The city was notified of each landslide. The city discovered an 8 to 9-foot break in a 10-inch sewer and replaced a 24-foot section. One-third of the flow capacity was obstructed but water had leaked out more than six months before the first landslide.
- The city had not inspected the sewer line since 1929 and its inaction was prima facie evidence of the city's negligence.
- The history of prior landslides in the area was acknowledged -- there were previous landslides in 1921 and 1940. Also acknowledged was the existence of groundwater and springs in the area. The city knew to expect future landslides but performed no corrective action.
- The Superior Court had earlier ruled that the landslides were caused by:
 - Severe water saturation, partly from the broken the sewer line
 - Weight of materials/fill placed by landowner
 - Severe pruning of maple trees in area by the landowner

2. Rest.2d Torts, s 366 ("Restatement Second of Torts").

The Ruling: The Court of Appeals of Washington ruled the following:

- The evidence that, under certain conditions, water could have exfiltrated and "conceivably in some manner or fashion" could have reached the landowner's property did not support the conclusion that the city's negligence proximately contributed to the landslide damage to landowner's property.
- There was not enough circumstantial evidence to reasonably conclude that there was a greater probability that the landside was caused partly by water escaping from the broken sewer than by prevalent natural groundwater. The broken sewer line could have contributed to the landslide only if a "voluminous" amount of the leak entered the groundwater table, but that effect "substantially diminished beyond 50 feet." Furthermore, the break occurred 240 feet from the landslide. Also, at the time of the second pipe repair, there was no evidence of escaping water and sewage flow was normal.

Case Three: The third case was decided in the Supreme Court of Washington in *Peterson v. King County*, 41 Wash.2d 907, 252, P.2d 797 (1953). The circumstances of this case and the court's ruling are essentially the same as in *Nejin v. City of Seattle*, discussed above. The Supreme Court of Washington reversed and remanded the case, ruling that there was insufficient evidence to show that the county's action of creating a roadway was the direct, proximate cause of a landslide and its resulting damage.

Case Four: The fourth case was also decided in the Supreme Court of Washington in *Sigurdson v. City of Seattle*, 48 Wash. 2d 155, 292 P.2d 214 (1956). The landowner sued the city of Seattle over a landslide due to water escaping from the city's wooden drainage pipe. In a prior ruling, the Superior Court had found for the landowner and the city appealed. The Supreme Court ruled in affirmation of the lower court judgment. Specifically, a federal relief agency constructed the water drainage system. Thereafter, the city assumed its sole management and control and frequently and extensively repaired the system for 18 years. Thus, the city had a duty to maintain system and was liable for damage as a result of the city's negligence in performance of its duty.

The Facts of the Case: The following is a brief summary of the facts.

- In 1936, the federal Works Progress Administration constructed and installed a drainage system on property owned by King County.
- After construction, the city of Seattle assumed maintenance of the system.
- It is acknowledged that the steepness of the terrain and the soil texture have presented a drainage and slide problem for many years. Slides had occurred in the area in 1937, 1941, 1948, and 1950, requiring the city to replace and repair parts of the system.
- In the current case, slides occurred on January 6, 1954 and January 22, 1954, requiring substantial repair.

- On February 12, 1954, the drainage pipe broke 60 feet behind the landowner's property. The city did not stop the flow and allowed water to saturate the hill. On February 13, 1954, a landslide occurred on the landowner's property. The evidence indicated that water flowed from the drainage pipe and not from above the pipe.

The Ruling: The Supreme Court of Washington ruled the following:

- The maintenance and repair function was a corporate or ministerial function of the city relating to improvement and maintenance of public streets, upon which liability may be incurred, as opposed to a governmental function to which the rule of immunity applies.
- City having sole control and management of the drainage system renders immaterial who constructed the system (the city claimed no liability because it was the federal government that built the system).
- The city did have a legal duty to perform repair of the pipe. It had done repairs for 18 years as a public purpose for maintenance of public streets. The purpose of the drainage pipe was to prevent landslides and flow of water onto city streets. Thus, maintenance by the city was for a public purpose.
- The city did not exercise ordinary and reasonable care, the failure of which constituted a failure to perform.
- The city could reasonably have foreseen that the failure to perform repairs would cause damage or injury to another.
- The failure to perform was the proximate cause of damage.

Conclusion: Each incident involving a rockfall or landslide is unique. There is no guarantee that a claim for damages will succeed just because the defendant -- like a state, county, or municipality -- has "deep pockets." These cases clearly show that liability is decided on the unique circumstances and merits of each claim. This should dispel the fear that, although deep-pocket jurisdictions will always be targeted, that they will automatically be held liable. As some of these cases show, even if a public body does negligently contribute to a landslide or rockfall, evidence must show that such negligence was the proximate cause of damage to a claimant.

For example, in the local case involving a rockfall that killed a Honolulu resident in a Nuuanu hillside house in 2002, a Circuit Court jury found that water from a drainage ditch did flow onto the hillside above the house. However, it could not be proven that the drainage system emptied onto the section of hillside from which the falling rock came. Thus, there was no evidence that the water from the drainage ditch proximately caused the rockfall. Consequently, the jury found the defendant, the City and County of Honolulu, not negligent in the resident's death.³

3. Rod Ohira, The Honolulu Advertiser, "Jury absolves city in boulder death," August 22, 2006; Debra Barayuga, The Honolulu Star Bulletin, "Family loses rockfall fatality case," August 22, 2006.

Chapter 4

CONCLUSION

S.C.R. No. 98, H.D. 1 (2006), specifically directed the Bureau to contact the National Conference of State Legislatures for laws relating to permitting development in areas subject to rockslides. The NCSL provided the Bureau with a shortlist of twenty-four statutes culled from a larger list of 241 citations. The NCSL conducted a full-text search of the statutes of all fifty states, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands.

However, our own analysis revealed that, although some of the legislation tangentially dealt with sloping terrain, potential rock- or landslides, and flooding, very few statutes directly address development permitting in the context of safeguarding property and public safety.

The NCSL-supplied research indicates that regulation of the permitting process for developments in areas with a potential for rock- or landslides more appropriately resides at the county level.

In Hawaii, the scope and degree of regulation regarding the issue vary by county. The City and County of Honolulu appears to have the most extensive set of relevant policies, ordinances, and regulations. Overall, the regulatory environment in the City and County of Honolulu appears adequate to address any concerns about rockfalls, particularly when each permit is evaluated on a case-by-case basis.

SENATE CONCURRENT RESOLUTION

URGING THE CITY AND COUNTY OF HONOLULU TO PROCEED WITH CAUTION
IN REVIEWING DEVELOPMENTS ON STEEP HILLSIDES WITH POTENTIAL
ROCKFALL HAZARDS.

1 WHEREAS, a private landowner intends to develop a nine-lot
2 subdivision on approximately 50 acres of land in Dowsett
3 Highlands, Nuuanu, Oahu, on the property identified by tax map
4 key numbers 2-2-47:3 and 5; and

5
6 WHEREAS, this property is located above existing homes
7 between Ragsdale Place and Kamuela Place and has a steep
8 terrain; and

9
10 WHEREAS, the City and County of Honolulu (City) approved
11 residential zoning of this property decades ago and is currently
12 processing a subdivision application by the landowner; and

13
14 WHEREAS, homeowners below the property are opposed to the
15 subdivision, believing it will create rockfall, landslide, and
16 flooding hazards, and have collected more than 1,000 signatures
17 on a petition; and

18
19 WHEREAS, there have been rockfalls that have occurred in
20 Nuuanu valley, including a boulder which killed 26-year-old Dara
21 Onishi in 2002; and

22
23 WHEREAS, other rockfalls have occurred around the island of
24 Oahu damaging property and risking people's health and safety;
25 and

26
27 WHEREAS, the land located uphill of the proposed Nuuanu
28 subdivision is owned by the Department of Land and Natural
29 Resources; and

30
31 WHEREAS, developments that are approved and constructed
32 adjacent to pristine, undeveloped state mountainous lands may

1 expose the State to liability should rockfalls occur from its
2 lands; and

3

4 WHEREAS, the City, as the approving entity of developments,
5 must strive to protect landowners below, above, and adjacent to
6 the potential rockfall and landslide hazards; now, therefore,

7

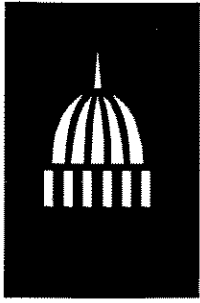
8 BE IT RESOLVED by the Senate of the Twenty-third
9 Legislature of the State of Hawaii, Regular Session of 2006, the
10 House of Representatives concurring, that the City is urged to
11 proceed with caution in reviewing any developments proposed to
12 be built on steep terrain and to require all necessary
13 engineering and geotechnical studies to ascertain and ensure
14 public health and safety; and

15

16 BE IT FURTHER RESOLVED that the Legislative Reference
17 Bureau is requested to contact the National Conference of State
18 Legislatures and other states and county jurisdictions for
19 statutes, ordinances, and rules relating to permitting
20 development in areas subject to rockslides, and report back to
21 the Legislature no later than 15 days prior to the convening of
22 the Regular Session of 2007; and

23

24 BE IT FURTHER RESOLVED that certified copies of this
25 Concurrent Resolution be transmitted to the Mayor of the City
26 and County of Honolulu and the Chair of the City Council.



NCSL MEMO

NATIONAL CONFERENCE *of* STATE LEGISLATURES

To: Peter Pan, Senior Researcher
From: Douglas Shinkle, Research Analyst
Date: September 13, 2006
Subject: Rockslide Permitting Statutes

I have included information on 24 statutes that I thought most closely matched your search. Please note that in some cases I have pasted the text of the statute, but in most cases, I have attached a web-link. To access these web-links, you must press control and click on the link at the same time. The New Jersey statutes seem to most closely match what you were looking for.

1. AS 46.40.210 ALASKA STATUTES Title 46. Water, Air, Energy, and Environmental Conservation. Chapter 40. The Alaska Coastal Management Program. Article 3. General Provisions. Sec. 46.40.210 Definitions. [See delayed repeal note for this chapter.]
<http://old-www.legis.state.ak.us/cgi-bin/folioisa.dll/stattx05/query=46!2E40!2E210+++/doc/{@19982}?>

2. West's Ann.Cal.Pub.Res.Code s 29405 WEST'S ANNOTATED CALIFORNIA CODES PUBLIC RESOURCES CODE DIVISION 19. SUISUN MARSH PRESERVATION CHAPTER 5. RESPONSIBILITIES OF THE COMMISSION AND LOCAL AGENCIES ARTICLE 1. LOCAL PROTECTION PROGRAM s 29405. Local program for a particular secondary management area; ordinances 29405. Notwithstanding the provisions of Sections 29400, 29401, 29402, and 29403, the local protection program for that portion of the secondary management area west of State Highway Route 680 and outside the city limits of the City of Fairfield as of January 1, 1977, may include only ordinances to be prepared by the county, in cooperation with the City of Benicia, which control grading, erosion, sediment, runoff, and creekside development and which meet the requirements of subdivisions (h) and (i) of Section 29401. Such ordinances shall take into consideration the seismic hazards and unusually erodible and landslide-prone soils at this location, and ensure that development, if any, in this portion of the secondary management area will not cause increased sedimentation within the marsh.

3. West's Ann.Cal.Pub.Res.Code s 30526 WEST'S ANNOTATED CALIFORNIA CODES PUBLIC RESOURCES CODE DIVISION 20. CALIFORNIA COASTAL ACT CHAPTER 6. IMPLEMENTATION ARTICLE 2. PROCEDURE FOR PREPARATION, APPROVAL, AND CERTIFICATION OF LOCAL COASTAL PROGRAMS s 30526. Coastal development in Los Peñasquitos Lagoon area in City of San Diego; mitigation fee program 30526. (a) Because of the intensity of development contemplated, the area's steep topography and highly erodible soils, and the

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demonstrated impacts from development despite the utilization of mitigation measures, the Legislature finds that the threat from development to wetlands in the City of San Diego requires that a mitigation fee program be included in the city's local coastal program. Therefore, the City of San Diego shall provide in its local coastal program for payment of a reasonable fee to the State Coastal Conservancy by applicants for a coastal development permit if the proposed development has, or is reasonably expected to have, a direct and significant effect on coastal resources within a specific geographic watershed in the coastal zone which can be mitigated through the incorporation of feasible onsite and offsite mitigation measures into the proposed development and through the mitigation fee program.

4. C.G.S.A. s 8-1aa CONNECTICUT GENERAL STATUTES ANNOTATED TITLE 8. ZONING, PLANNING, HOUSING, ECONOMIC AND COMMUNITY DEVELOPMENT AND HUMAN RESOURCES CHAPTER 124. ZONING s 8-1aa. Ridgeline protection: Definitions
<http://www.cga.ct.gov/2005/pub/Chap124.htm#Sec8-1aa.htm> see 8-1aa and 8-2

5. C.G.S.A. s 8-25 CONNECTICUT GENERAL STATUTES ANNOTATED TITLE 8. ZONING, PLANNING, HOUSING, ECONOMIC AND COMMUNITY DEVELOPMENT AND HUMAN RESOURCES CHAPTER 126. MUNICIPAL PLANNING COMMISSION s 8-25. Subdivision of land
<http://www.cga.ct.gov/2005/pub/Chap126.htm#Sec8-25.htm>

6. C.G.S.A. s 22a-92 CONNECTICUT GENERAL STATUTES ANNOTATED TITLE 22A. ENVIRONMENTAL PROTECTION CHAPTER 444. COASTAL MANAGEMENT s 22a-92. Legislative goals and policies
<http://www.cga.ct.gov/2005/pub/Chap444.htm#Sec22a-92.htm>

7. Ga. Code Ann., s 12-7-6 WEST'S CODE OF GEORGIA ANNOTATED TITLE 12. CONSERVATION AND NATURAL RESOURCES CHAPTER 7. CONTROL OF SOIL EROSION AND SEDIMENTATION s 12-7-6. Best management practices required for all land-disturbing activities; minimum standards for rules and regulations, ordinances and resolutions
http://www.legis.state.ga.us/cgi-bin/gl_codes_detail.pl?code=12-7-6

8. I.C. s 67-6508 WEST'S IDAHO CODE ANNOTATED TITLE 67. STATE GOVERNMENT AND STATE AFFAIRS CHAPTER 65. LOCAL LAND USE PLANNING s 67-6508. Planning duties
<http://www3.state.id.us/cgi-bin/newidst?scid=670650008.K> Brief mention.

9. 12 M.R.S.A. s 685-A MAINE REVISED STATUTES ANNOTATED TITLE 12. CONSERVATION PART 2. FORESTS, PARKS, LAKES AND RIVERS CHAPTER 206-A. USE REGULATION SUBCHAPTER 2. MAINE LAND USE REGULATION COMMISSION s 685-A. Land use districts and standards
<http://janus.state.me.us/legis/statutes/12/title12sec685-A.html>

10. 38 M.R.S.A. s 488 MAINE REVISED STATUTES ANNOTATED TITLE 38. WATERS AND NAVIGATION CHAPTER 3. PROTECTION AND IMPROVEMENT OF WATERS SUBCHAPTER I. ENVIRONMENTAL PROTECTION BOARD ARTICLE 6. SITE LOCATION OF DEVELOPMENT s 488. Applicability
<http://janus.state.me.us/legis/statutes/38/title38sec488.html>

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11. MD Code, Environment, s 5-906 WEST'S ANNOTATED CODE OF MARYLAND ENVIRONMENT
TITLE 5. WATER RESOURCES SUBTITLE 9--NONTIDAL WETLANDS s 5-906. Permit requirements; buffers

§ 5-906. Permits generally; compliance with regulations; buffers.

(a) *Exemptions from permit requirement.*- The following types of activities shall be exempt from the permit requirements of this section if notice is given to the Department and best management practices are implemented:

(1) Activities which normally occur in nontidal wetlands with minimal impact on nontidal wetlands, including the repair and maintenance of existing structures, utilities, including underground utilities, rights-of-way, and railroad beds; or

(2) Activities in isolated nontidal wetlands of less than 1 acre and having no significant plant or wildlife value.

(b) *Permit and compliance with regulations required.*-

(1) After December 31, 1990 a person may not conduct a regulated activity without first obtaining a permit from the Department.

(2) In addition to obtaining a permit, a person shall comply with all other pollution control, flood hazard reduction, sediment control, stormwater management, local zoning, and other applicable federal, State, and local regulations.

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(c) *Application for permit.*- To apply for a permit, the applicant shall submit a delineation of the affected nontidal wetlands and all other information as required by the Department.

(d) *Notice to applicant for permit; additional information.*- Within 45 days from receipt of the application, the Department shall notify the applicant whether the application is complete and the delineation is correct. If the Department fails to notify the applicant about the application or delineation within 45 days, the delineation shall be treated by the Department as correct and the application shall be treated as complete. The Department may request further information or provide for an extension of this deadline when extenuating circumstances prevent consideration of the application.

(e) *Public notice and hearings regarding permit applications.*- After receipt of a complete application, under the procedures of § 5-204 (b) through (e) of this title the Department shall issue public notice of an opportunity to submit written comments or to request a hearing. A hearing shall be held within 45 days if requested, unless extenuating circumstances justify an extension of time. The hearing is not a contested case under the State Government Article.

(f) *Conditions, limitations imposed upon grant of permit.*- In granting a permit, the Department may impose conditions or limitations required to carry out the provisions of this subtitle.

(g) *Security for permits.*- The Department may require a bond or other instrument to secure compliance with the conditions in the permit.

(h) *Temporary emergency permits.*- The Department may issue a temporary emergency permit for a regulated activity if:

(1) An unacceptable threat to life or severe loss of property will occur if an emergency permit is not granted; and

(2) The anticipated threat or loss may occur before a permit can be issued or modified as provided

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under this subtitle.

(i) *Buffers.*-

(1) By December 31, 1989 the Department shall designate by regulation nontidal wetlands for which the buffer is to be expanded beyond 25 feet, but the total buffer may not exceed 100 feet, to assure adequate protections from adjacent activities or conditions which may adversely affect the nontidal wetland and associated aquatic ecosystem.

(2) Activities or conditions where the buffer may be expanded beyond 25 feet include the presence of slopes, highly erodible soils or other soils with development constraints, or the presence of nontidal wetlands of special State concern.

(j) *Time for grant, denial, etc. of permits.*- The Department shall grant, deny, or condition a permit within 45 days of a public hearing or within 60 days of the receipt of a completed application if no hearing is held. After notifying the applicant, the Department may extend its action beyond these time periods for an additional 30 days for extenuating circumstances.

12. N.H. Rev. Stat. s 155-E:3 REVISED STATUTES ANNOTATED OF THE STATE OF NEW HAMPSHIRE
TITLE XII. PUBLIC SAFETY AND WELFARE CHAPTER 155-E. LOCAL REGULATION EXCAVATIONS
155-E:3 Application for Permit.
<http://gencourt.state.nh.us/rsa/html/XII/155-E/155-E-3.htm>

13. N.J.S.A. 13:20-12 NEW JERSEY STATUTES ANNOTATED TITLE 13. CONSERVATION AND
DEVELOPMENT--PARKS AND RESERVATIONS CHAPTER 20. [HIGHLANDS WATER PROTECTION]
13:20-12. Land use capability map
http://lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=145078&Depth=4&TD=WRAP&advquery=%2213%3a20-12%20%20%20%20%20%20%20%20%22&headingswithhits=on&infobase=statutes.nfo&rank=&record={4C00}&softpage=Doc_Frame_Pg42&wordsaroundhits=2&zz=

14. N.J.S.A. 13:20-30 NEW JERSEY STATUTES ANNOTATED TITLE 13. CONSERVATION AND
DEVELOPMENT--PARKS AND RESERVATIONS CHAPTER 20. [HIGHLANDS WATER PROTECTION]
13:20-30. Highlands Preservation Area approval; requirements; application
http://lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=145078&Depth=4&TD=WRAP&advquery=%2213%3a20-30%20%20%20%20%20%20%20%20%22&headingswithhits=on&infobase=statutes.nfo&rank=&record={4C24}&softpage=Doc_Frame_Pg42&wordsaroundhits=2&zz=
See part Seven!

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15. N.J.S.A. 13:20-32 NEW JERSEY STATUTES ANNOTATED TITLE 13. CONSERVATION AND DEVELOPMENT--PARKS AND RESERVATIONS CHAPTER 20. [HIGHLANDS WATER PROTECTION] 13:20-32. Rules and regulations establishing environmental standards for preservation area
http://lis.njleg.state.nj.us/cgi-bin/om_isapi.dll?clientID=145078&Depth=4&TD=WRAP&advquery=%2213%3a20-32%20%20%20%20%20%20%20%20%20%20%22&headingswithhits=on&infobase=statutes.info&rank=&record={4C28}&softpage=Doc_Frame_Pg42&wordsaroundhits=2&zz=
See Part J!

16. N. M. S. A. 1978, s 3-18-7 WEST'S NEW MEXICO STATUTES ANNOTATED CHAPTER 3. MUNICIPALITIES ARTICLE 18. POWERS OF MUNICIPALITIES s 3-18-7. Additional county and municipal powers; flood and mudslide hazard areas; flood plain permits; land use control; jurisdiction; agreement

3-18-7. Additional county and municipal powers; flood and mudslide hazard areas; flood plain permits; land use control; jurisdiction; agreement.

A. For the purpose of minimizing or eliminating damage from floods or mudslides in federal emergency management agency and locally designated flood-prone areas and for the purpose of promoting health, safety and the general welfare, a county or municipality with identified flood or mudslide hazard areas shall by ordinance:

- (1) designate and regulate flood plain areas having special flood or mudslide hazards;
- (2) prescribe standards for constructing, altering, installing or repairing buildings and other improvements under a permit system within a designated flood or mudslide hazard area;
- (3) require review by the local flood plain manager for development within a designated flood or mudslide hazard area provided final decisions are approved by the local governing body;
- (4) review subdivision proposals and other new developments within a designated flood or mudslide hazard area to ensure that:
 - (a) all such proposals are consistent with the need to minimize flood damage;

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(b) all public utilities and facilities such as sewer, gas, electrical and water systems are designed to minimize or eliminate flood damage; and

(c) adequate drainage is provided so as to reduce exposure to flood hazards;

(5) require new or replacement water supply systems or sanitary sewage systems within a designated flood or mudslide hazard area to be designed to minimize or eliminate infiltration of flood waters into the systems and discharges from the systems into flood waters and require on-site waste disposal systems to be located so as to avoid impairment of them or contamination from them during flooding; and

(6) designate and regulate floodways for the passage of flood waters.

B. A flood plain ordinance adopted pursuant to this section shall substantially conform to the minimum standards prescribed by the federal insurance administration, regulation 1910 issued pursuant to Subsection 7(d), 79 Stat. 670, Section 1361, 82 Stat. 587 and 82 Stat. 575, all as amended.

C. A county or municipality that enacts a flood plain ordinance shall designate a person, certified pursuant to the state-certified flood plain manager program, as the flood plain manager to administer the flood plain ordinance.

D. A county or municipality that has areas designated by the federal emergency management agency and the county or municipality as flood-prone shall participate in the national flood insurance program.

E. A county or municipality shall have exclusive jurisdiction over flood plain permits issued under its respective flood plain ordinance in accordance with this section and so long as all structures built in flood plains are subject to inspection and approval pursuant to the Construction Industries Licensing Act [60-13-3 NMSA 1978]. Notwithstanding Section 3-18-6 NMSA 1978, when a municipality adopts a flood plain ordinance pursuant to Paragraph (2) of Subsection A of this section, the municipality's jurisdiction under the flood plain ordinance may take precedence

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over a respective county flood plain ordinance within the municipality's boundary and within the municipality's subdividing and platting jurisdiction.

F. A county or municipality shall designate flood plain areas having special flood or mudslide hazards in substantial conformity with areas identified as flood- or mudslide-prone by the federal insurance administration pursuant to the national flood insurance program and may designate areas as flood- or mudslide-prone that may not be so identified by the federal insurance administration.

G. A municipality or county adopting a flood plain ordinance pursuant to this section may enter into reciprocal agreements with any agency of the state, other political subdivisions or the federal government in order to effectively carry out the provisions of this section.

H. The department of public safety is designated as the state coordinating agency for the national flood insurance program and may assist counties or municipalities when requested by a county or municipality to provide technical advice and assistance.

17. 53 P.S. s 10609.1 PURDON'S PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES ANNOTATED TITLE 53 P.S. MUNICIPAL AND QUASI-MUNICIPAL CORPORATIONS PART I GENERAL MUNICIPAL LAW CHAPTER 30 PLANNING AND DEVELOPMENT ARTICLE VI. ZONING s 10609.1.

Procedure for landowner curative amendments

<http://members.aol.com/StatutesP3/53.Cp.30U.6.html>

Scroll down to the appropriate section.

18. Gen.Laws 1956, s 1 GENERAL LAWS OF RHODE ISLAND ANNOTATED, 1956 TITLE 45. TOWNS AND CITIES CHAPTER 46. SOIL EROSION AND SEDIMENT CONTROL Section 1. Soil Erosion and Sediment Control Plan.

<http://www.rilin.state.ri.us/Statutes/TITLE45/45-46/INDEX.HTM>

19. Code 1976 s 48-9-20 CODE OF LAWS OF SOUTH CAROLINA 1976 ANNOTATED TITLE 48. ENVIRONMENTAL PROTECTION AND CONSERVATION CHAPTER 9. SOIL AND WATER CONSERVATION DISTRICTS LAW ARTICLE 1. GENERAL PROVISIONS s 48-9-20. Legislative declaration of purpose.

<http://www.scstatehouse.net/code/t48c009.htm>

20. Code 1976 s 48-39-280 CODE OF LAWS OF SOUTH CAROLINA 1976 ANNOTATED TITLE 48. ENVIRONMENTAL PROTECTION AND CONSERVATION CHAPTER 39. COASTAL TIDELANDS AND WETLANDS s 48-39-280. Forty-year retreat policy.

<http://www.scstatehouse.net/code/t48c039.htm> Scroll down to appropriate section.

21. Va. Code Ann. s 15.2-2241 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 15.2. COUNTIES, CITIES AND TOWNS SUBTITLE II. POWERS OF LOCAL GOVERNMENT CHAPTER 22. PLANNING,

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SUBDIVISION OF LAND AND ZONING ARTICLE 6. LAND SUBDIVISION AND DEVELOPMENT s 15.2-2241. Mandatory provisions of a subdivision ordinance
<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+15.2-2241>

22. Va. Code Ann. s 15.2-2309 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 15.2. COUNTIES, CITIES AND TOWNS SUBTITLE II. POWERS OF LOCAL GOVERNMENT CHAPTER 22. PLANNING, SUBDIVISION OF LAND AND ZONING ARTICLE 7. ZONING s 15.2-2309. Powers and duties of boards of zoning appeals
<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+15.2-2309>

23. West's RCWA 79.11.080 WEST'S REVISED CODE OF WASHINGTON ANNOTATED TITLE 79. PUBLIC LANDS CHAPTER 79.11. STATE LAND SALES PART 1--SALE PROCEDURES 79.11.080. Inspection and appraisal
<http://apps.leg.wa.gov/RCW/default.aspx?cite=79.11.080>

24. West's RCWA 79.13.040 WEST'S REVISED CODE OF WASHINGTON ANNOTATED TITLE 79. PUBLIC LANDS CHAPTER 79.13. LAND LEASES PART 1--GENERAL PROVISIONS 79.13.040. Inspections—Surveys
<http://apps.leg.wa.gov/RCW/default.aspx?cite=79.13.040>

National Conference of State Legislatures

Westlaw search (copyright West Group)

Date: 7-24-06

Database: stat-all (50 states statutes)

Query: pr,ca,te(land-slide rock-slide rock-fall mud-slide hill-side slope! down-slope up-slope (rocky hilly uneven slop! steep unstable /3 ground land terrain) topograph! /25 develop! land-use) %
pr,ca(repealed renumbered reserved blank expired mine mining miner)

Retrieved: 241 statutes

Search Notes: This was a full text search regarding development on sloped terrain.

Scope: The statutes of all 50 states, the District of Columbia, Guam, Puerto Rico and the Virgin Islands are included in the stat-all database.

Citations List

1. Ala.Code 1975 s 8-17-91 CODE OF ALABAMA TITLE 8. COMMERCIAL LAW AND CONSUMER PROTECTION. CHAPTER 17. REGULATION OF CERTAIN GOODS AND PRODUCTS. ARTICLE 5. PETROLEUM PRODUCTS. DIVISION 1. STANDARDS AND INSPECTIONS GENERALLY. s 8-17-91. Disposition of funds; overpayments.
2. Ala.Code 1975 s 9-8-23 CODE OF ALABAMA TITLE 9. CONSERVATION AND NATURAL RESOURCES. CHAPTER 8. SOIL AND WATER CONSERVATION GENERALLY. ARTICLE 2. SOIL AND WATER CONSERVATION DISTRICTS. s 9-8-23. Creation and incorporation of districts; increase or decrease in boundaries; reorganization; change of name.
3. Ala.Code 1975 s 11-85-1 CODE OF ALABAMA TITLE 11. COUNTIES AND MUNICIPAL CORPORATIONS. SUBTITLE 3. PROVISIONS APPLICABLE TO COUNTIES AND MUNICIPAL CORPORATIONS. CHAPTER 85. REGIONAL PLANNING AND DEVELOPMENT. ARTICLE 1. REGIONAL PLANNING COMMISSIONS GENERALLY. s 11-85-1. Establishment of region and creation of regional planning commission.
4. Ala.Code 1975 s 40-12-270 CODE OF ALABAMA TITLE 40. REVENUE AND TAXATION. CHAPTER 12. LICENSES. ARTICLE 5. MOTOR VEHICLES. DIVISION 1. GENERAL PROVISIONS. s 40-12-270. Disbursement of net proceeds from license taxes and registration fees; Secondary Road Committee created.
5. AS 38.35.017 ALASKA STATUTES Title 38. Public Land. Chapter 35. Right-of-Way Leasing Act. Sec. 38.35.017 Limitation on leases in or adjacent to the Beaufort Sea.
6. AS 42.40.460 ALASKA STATUTES Title 42. Public Utilities and Carriers. Chapter 40. Alaska Railroad Corporation. Article 5. Corporation Property. Sec. 42.40.460 Extension of the Alaska Railroad.
7. AS 42.40.465 ALASKA STATUTES Title 42. Public Utilities and Carriers. Chapter 40. Alaska Railroad Corporation. Article 5. Corporation Property. Sec. 42.40.465 Extension of the Alaska Railroad to connect with the North American railroad system.
8. AS 46.40.210 ALASKA STATUTES Title 46. Water, Air, Energy, and Environmental Conservation. Chapter 40. The Alaska Coastal Management Program. Article 3. General Provisions. Sec. 46.40.210 Definitions. [See delayed repeal note for this chapter.]
9. AS 47.27.070 ALASKA STATUTES Title 47. Welfare, Social Services and Institutions. Chapter 27. Alaska Temporary Assistance Program. Article 2. Alaska Temporary Assistance Program. Sec. 47.27.070 Alaska native organizations' family assistance programs.

10. A.R.S. s 9-1202 ARIZONA REVISED STATUTES ANNOTATED TITLE 9. CITIES AND TOWNS CHAPTER 11. PROTECTED DEVELOPMENT RIGHTS ARTICLE 1. GENERAL PROVISIONS s 9-1202. Protected development right; establishment; plan requirements; variance
11. A.R.S. s 11-806.01 ARIZONA REVISED STATUTES ANNOTATED TITLE 11. COUNTIES CHAPTER 6. COUNTY PLANNING AND ZONING ARTICLE 1. ADMINISTRATION AND ENFORCEMENT s 11-806.01. Subdivision regulation; platting regulations; violation; classification; easement vesting
12. A.R.S. s 11-1202 ARIZONA REVISED STATUTES ANNOTATED TITLE 11. COUNTIES CHAPTER 9. PROTECTED DEVELOPMENT RIGHTS ARTICLE 1. GENERAL PROVISIONS s 11-1202. Protected development right; establishment; plan requirements; variance
13. A.R.S. s 37-607 ARIZONA REVISED STATUTES ANNOTATED TITLE 37. PUBLIC LANDS CHAPTER 2. ADMINISTRATION OF STATE AND OTHER PUBLIC LANDS ARTICLE 14. EXCHANGE OF PUBLIC LANDS s 37-607. Method of exchange; valuation
14. A.R.S. s 49-424 ARIZONA REVISED STATUTES ANNOTATED TITLE 49. THE ENVIRONMENT CHAPTER 3. AIR QUALITY ARTICLE 2. STATE AIR POLLUTION CONTROL s 49-424. Duties of department
15. A.R.S. s 49-772 ARIZONA REVISED STATUTES ANNOTATED TITLE 49. THE ENVIRONMENT CHAPTER 4. SOLID WASTE MANAGEMENT ARTICLE 4. REGULATION OF SOLID WASTE s 49-772. Location restrictions for solid waste landfills; definitions
16. West's Ann.Cal.Civ.Code s 51.2 WEST'S ANNOTATED CALIFORNIA CODES CIVIL CODE DIVISION 1. PERSONS PART 2. PERSONAL RIGHTS s 51.2. Age discrimination in housing prohibited; exception; intent
17. West's Ann.Cal.Civ.Code s 1103.2 WEST'S ANNOTATED CALIFORNIA CODES CIVIL CODE DIVISION 2. PROPERTY PART 4. ACQUISITION OF PROPERTY TITLE 4. TRANSFER CHAPTER 2. TRANSFER OF REAL PROPERTY ARTICLE 1.7. DISCLOSURE OF NATURAL HAZARDS UPON TRANSFER OF RESIDENTIAL PROPERTY s 1103.2. Natural Hazard Disclosure Statement
18. West's Ann.Cal.Civ.Code s 1363.07 WEST'S ANNOTATED CALIFORNIA CODES CIVIL CODE DIVISION 2. PROPERTY PART 4. ACQUISITION OF PROPERTY TITLE 6. COMMON INTEREST DEVELOPMENTS CHAPTER 4. GOVERNANCE ARTICLE 2. COMMON INTEREST DEVELOPMENT OPEN MEETING ACT s 1363.07. Exclusive use of common area; affirmative vote required; exceptions; contents of proposed measure
19. West's Ann.Cal.Gov.Code s 56668 WEST'S ANNOTATED CALIFORNIA CODES GOVERNMENT CODE TITLE 5. LOCAL AGENCIES DIVISION 3. CORTESE-KNOX-HERTZBERG LOCAL GOVERNMENT REORGANIZATION ACT OF 2000 PART 3. COMMISSION PROCEEDINGS FOR A CHANGE OF ORGANIZATION OR REORGANIZATION CHAPTER 1. GENERAL s 56668. Review of proposals; factors considered
20. West's Ann.Cal.Gov.Code s 65594 WEST'S ANNOTATED CALIFORNIA CODES GOVERNMENT CODE TITLE 7. PLANNING AND LAND USE DIVISION 1. PLANNING AND ZONING CHAPTER 3. LOCAL PLANNING ARTICLE 10.8. WATER CONSERVATION IN LANDSCAPING s 65594. Model local water efficient landscape ordinance; review; adoption; distribution
21. West's Ann.Cal.Pub.Res.Code s 8831 WEST'S ANNOTATED CALIFORNIA CODES PUBLIC RESOURCES CODE DIVISION 8. SURVEYING AND MAPPING CHAPTER 2. TOPOGRAPHICAL MAPPING s 8831. Policy of state declared
22. West's Ann.Cal.Pub.Res.Code s 29405 WEST'S ANNOTATED CALIFORNIA CODES PUBLIC RESOURCES CODE DIVISION 19. SUISUN MARSH PRESERVATION CHAPTER 5. RESPONSIBILITIES OF THE COMMISSION AND LOCAL AGENCIES ARTICLE 1. LOCAL PROTECTION PROGRAM s 29405. Local program for a particular secondary management area; ordinances

23. West's Ann.Cal.Pub.Res.Code s 30526 WEST'S ANNOTATED CALIFORNIA CODES PUBLIC RESOURCES CODE DIVISION 20. CALIFORNIA COASTAL ACT CHAPTER 6. IMPLEMENTATION ARTICLE 2. PROCEDURE FOR PREPARATION, APPROVAL, AND CERTIFICATION OF LOCAL COASTAL PROGRAMS s 30526. Coastal development in Los Penasquitos Lagoon area in City of San Diego; mitigation fee program

24. West's Ann.Cal.Water Code s 12667 WEST'S ANNOTATED CALIFORNIA CODES WATER CODE DIVISION 6. CONSERVATION, DEVELOPMENT, AND UTILIZATION OF STATE WATER RESOURCES PART 6. WATER DEVELOPMENT PROJECTS CHAPTER 2. APPROVED PROJECTS ARTICLE 2. PROJECTS IN THE SACRAMENTO-SAN JOAQUIN WATERSHEDS s 12667. Merced county streams project; adoption and authorization

25. West's Ann.Cal.Water Code s 13000 WEST'S ANNOTATED CALIFORNIA CODES WATER CODE DIVISION 7. WATER QUALITY CHAPTER 1. POLICY s 13000. Conservation, control, and utilization of water resources; quality; statewide program; regional administration

26. West's Ann.Cal.Water Code s 79033.6 WEST'S ANNOTATED CALIFORNIA CODES WATER CODE DIVISION 26. SAFE DRINKING WATER, CLEAN WATER, WATERSHED PROTECTION, AND FLOOD PROTECTION ACT CHAPTER 5. FLOOD PROTECTION PROGRAM ARTICLE 2. FLOODPLAIN MAPPING PROGRAM s 79033.6. Agriculture and Open Space Mapping Subaccount; use; "maps" and "mapping"

27. West's Ann.Cal.Water Code App. s 136-66 WEST'S ANNOTATED CALIFORNIA CODES WATER CODE APPENDIX CHAPTER 136. ANTELOPE VALLEY STORM WATER CONSERVATION AND FLOOD CONTROL DISTRICT PART 1. CREATION AND POWER CHAPTER 4. POWERS AND PURPOSES s 136-66. Flood control and water conservation plan; time limitation; contents; management of flood control and other water facilities by agreement with other entities

28. C.R.S.A. s 24-46.6-101 WEST'S COLORADO REVISED STATUTES ANNOTATED TITLE 24. GOVERNMENT--STATE OTHER AGENCIES ARTICLE 46.6. INTRASTATE AIR SERVICE WITHIN THE STATE OF COLORADO s 24-46.6-101. Legislative declaration

29. C.R.S.A. s 28-5-708 WEST'S COLORADO REVISED STATUTES ANNOTATED TITLE 28. MILITARY AND VETERANS VETERANS ARTICLE 5. VETERANS PART 7. DIVISION OF VETERANS AFFAIRS s 28-5-708. Western slope veterans' cemetery--fund--rules

30. C.R.S.A. s 30-28-133 WEST'S COLORADO REVISED STATUTES ANNOTATED TITLE 30. GOVERNMENT--COUNTY COUNTY PLANNING AND BUILDING CODES ARTICLE 28. COUNTY PLANNING AND BUILDING CODES PART 1. COUNTY PLANNING s 30-28-133. Subdivision regulations

31. C.R.S.A. s 33-11-106 WEST'S COLORADO REVISED STATUTES ANNOTATED TITLE 33. WILDLIFE AND PARKS AND OUTDOOR RECREATION PARKS AND OUTDOOR RECREATION ARTICLE 11. RECREATIONAL TRAILS s 33-11-106. Responsibilities of committee

32. C.R.S.A. s 39-29-116 WEST'S COLORADO REVISED STATUTES ANNOTATED TITLE 39. TAXATION SPECIFIC TAXES SEVERANCE TAX ARTICLE 29. SEVERANCE TAX s 39-29-116. Uranium mill tailings remedial action program fund--creation-- repeal

33. C.G.S.A. s 8-1aa CONNECTICUT GENERAL STATUTES ANNOTATED TITLE 8. ZONING, PLANNING, HOUSING, ECONOMIC AND COMMUNITY DEVELOPMENT AND HUMAN RESOURCES CHAPTER 124. ZONING s 8-1aa. Ridgeline protection: Definitions

34. C.G.S.A. s 8-25 CONNECTICUT GENERAL STATUTES ANNOTATED TITLE 8. ZONING, PLANNING, HOUSING, ECONOMIC AND COMMUNITY DEVELOPMENT AND HUMAN RESOURCES CHAPTER 126. MUNICIPAL PLANNING COMMISSION s 8-25. Subdivision of land

35. C.G.S.A. s 22a-92 CONNECTICUT GENERAL STATUTES ANNOTATED TITLE 22A. ENVIRONMENTAL PROTECTION CHAPTER 444. COASTAL MANAGEMENT s 22a-92. Legislative goals and policies

36. C.G.S.A. s 25-102aa CONNECTICUT GENERAL STATUTES ANNOTATED TITLE 25. WATER RESOURCES. FLOOD AND EROSION CONTROL CHAPTER 477C. UPPER CONNECTICUT RIVER CONSERVATION ZONE s 25-102aa. Legislative finding

37. 9 Del.C. s 2656 WEST'S DELAWARE CODE ANNOTATED TITLE 9. COUNTIES PART II. NEW CASTLE COUNTY CHAPTER 26. ZONING SUBCHAPTER II. THE QUALITY OF LIFE ACT s 2656. Required and optional elements of comprehensive plan; studies and surveys

38. 9 Del.C. s 4956 WEST'S DELAWARE CODE ANNOTATED TITLE 9. COUNTIES PART III. KENT COUNTY CHAPTER 49. ZONING SUBCHAPTER II. THE QUALITY OF LIFE ACT s 4956. Required and optional elements of comprehensive plan; studies and surveys

39. 9 Del.C. s 6956 WEST'S DELAWARE CODE ANNOTATED TITLE 9. COUNTIES PART IV. SUSSEX COUNTY CHAPTER 69. ZONING SUBCHAPTER II. THE QUALITY OF LIFE ACT s 6956. Required and optional elements of comprehensive plan; studies and surveys

40. 29 Del.C. s 9101 WEST'S DELAWARE CODE ANNOTATED TITLE 29. STATE GOVERNMENT PART IX. STATE PLANNING AND PROPERTY ACQUISITION CHAPTER 91. STATE PLANNING SUBCHAPTER I. DELAWARE PLANNING ACT s 9101. Cabinet Committee on State Planning Issues

41. 31 Del.C. s 4501 WEST'S DELAWARE CODE ANNOTATED TITLE 31. WELFARE PART III. HOUSING AND SLUM CLEARANCE CHAPTER 45. SLUM CLEARANCE AND REDEVELOPMENT AUTHORITY LAW s 4501. Definitions

42. 9 Del.C. s 2656 DELAWARE CODE ANNOTATED TITLE 9. COUNTIES PART II. NEW CASTLE COUNTY CHAPTER 26. ZONING SUBCHAPTER II. THE QUALITY OF LIFE ACT s 2656 Required and optional elements of comprehensive plan; studies and surveys. s 2656 Required and optional elements of comprehensive plan; studies and surveys.

43. 9 Del.C. s 4956 DELAWARE CODE ANNOTATED TITLE 9. COUNTIES PART III. KENT COUNTY CHAPTER 49. ZONING SUBCHAPTER II. THE QUALITY OF LIFE ACT s 4956 Required and optional elements of comprehensive plan; studies and surveys. s 4956 Required and optional elements of comprehensive plan; studies and surveys.

44. 9 Del.C. s 6956 DELAWARE CODE ANNOTATED TITLE 9. COUNTIES PART IV. SUSSEX COUNTY CHAPTER 69. ZONING SUBCHAPTER II. THE QUALITY OF LIFE ACT s 6956 Required and optional elements of comprehensive plan; studies and surveys. s 6956 Required and optional elements of comprehensive plan; studies and surveys.

45. 29 Del.C. s 9101 DELAWARE CODE ANNOTATED TITLE 29. STATE GOVERNMENT PART IX. STATE PLANNING AND PROPERTY ACQUISITION CHAPTER 91. STATE PLANNING SUBCHAPTER I. DELAWARE PLANNING ACT s 9101 Cabinet Committee on State Planning Issues. s 9101 Cabinet Committee on State Planning Issues.

46. 31 Del.C. s 4501 DELAWARE CODE ANNOTATED TITLE 31. WELFARE PART III. HOUSING AND SLUM CLEARANCE CHAPTER 45. SLUM CLEARANCE AND REDEVELOPMENT AUTHORITY LAW s 4501 Definitions. s 4501 Definitions.

47. West's F.S.A. s 161.0531 WEST'S FLORIDA STATUTES ANNOTATED TITLE XI. COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS (CHAPTERS 124- 164) CHAPTER 161.

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48. West's F.S.A. s 163.502 WEST'S FLORIDA STATUTES ANNOTATED TITLE XI. COUNTY ORGANIZATION AND INTERGOVERNMENTAL RELATIONS (CHAPTERS 124- 164) CHAPTER 163. INTERGOVERNMENTAL PROGRAMS PART IV. NEIGHBORHOOD IMPROVEMENT DISTRICTS 163.502. Safe neighborhoods; legislative findings and purpose

49. West's F.S.A. s 272.121 WEST'S FLORIDA STATUTES ANNOTATED TITLE XVIII. PUBLIC LANDS AND PROPERTY (CHAPTERS 253-278) CHAPTER 272. CAPITOL CENTER 272.121. Capitol Center long-range planning

50. West's F.S.A. s 582.11 WEST'S FLORIDA STATUTES ANNOTATED TITLE XXXV. AGRICULTURE, HORTICULTURE, AND ANIMAL INDUSTRY (CHAPTERS 570- 605) CHAPTER 582. SOIL AND WATER CONSERVATION 582.11. Hearing upon question of creation; notice, etc.

51. West's F.S.A. s 604.006 WEST'S FLORIDA STATUTES ANNOTATED TITLE XXXV. AGRICULTURE, HORTICULTURE, AND ANIMAL INDUSTRY (CHAPTERS 570- 605) CHAPTER 604. GENERAL AGRICULTURAL LAWS 604.006. Mapping and monitoring of agricultural lands

52. Ga. Code Ann., s 12-4-1 WEST'S CODE OF GEORGIA ANNOTATED TITLE 12. CONSERVATION AND NATURAL RESOURCES CHAPTER 4. MINERAL RESOURCES AND CAVES ARTICLE 1. GENERAL PROVISIONS s 12-4-1. Duties of Environmental Protection Division as to geological and mineral resources

53. Ga. Code Ann., s 12-7-6 WEST'S CODE OF GEORGIA ANNOTATED TITLE 12. CONSERVATION AND NATURAL RESOURCES CHAPTER 7. CONTROL OF SOIL EROSION AND SEDIMENTATION s 12-7-6. Best management practices required for all land-disturbing activities; minimum standards for rules and regulations, ordinances and resolutions

54. Ga. Code Ann., s 32-2-3 WEST'S CODE OF GEORGIA ANNOTATED TITLE 32. HIGHWAYS, BRIDGES, AND FERRIES CHAPTER 2. DEPARTMENT OF TRANSPORTATION ARTICLE 1. GENERAL PROVISIONS s 32-2-3. Duty of department to develop long range transportation plans; approval of plan; rules and regulations

55. 22 G.C.A. s 32103 GUAM CODE ANNOTATED TITLE 22. BUSINESS REGULATIONS. DIVISION 3. BUSINESS AND PROFESSIONS SUBJECT TO SEPARATE LICENSING AND REGULATORY REQUIREMENTS CHAPTER 32. THE PROFESSIONAL ENGINEERS, ARCHITECTS AND LAND SURVEYORS LAW (PEALS) s 32103. Definitions.

56. HRS s 6E-32 HAWAII REVISED STATUTES ANNOTATED DIVISION 1. GOVERNMENT. TITLE 1. GENERAL PROVISIONS. CHAPTER 6E. HISTORIC PRESERVATION. PART II. MONUMENTS AND MEMORIALS. s 6E-32 Diamond Head State Monument.

57. HRS s 171-10 HAWAII REVISED STATUTES ANNOTATED DIVISION 1. GOVERNMENT. TITLE 12. CONSERVATION AND RESOURCES. SUBTITLE 1. PUBLIC LANDS. CHAPTER 171. PUBLIC LANDS, MANAGEMENT AND DISPOSITION OF. PART I. GENERAL PROVISIONS. s 171-10 Classes of lands.

58. HRS s 174C-3 HAWAII REVISED STATUTES ANNOTATED DIVISION 1. GOVERNMENT. TITLE 12. CONSERVATION AND RESOURCES. SUBTITLE 2. WATER AND LAND DEVELOPMENT; FLOOD CONTROL. CHAPTER 174C. STATE WATER CODE. PART I. ADMINISTRATIVE STRUCTURE. s 174C-3 Definitions.

59. HRS s 180-7 HAWAII REVISED STATUTES ANNOTATED DIVISION 1. GOVERNMENT. TITLE 12. CONSERVATION AND RESOURCES. SUBTITLE 2. WATER AND LAND DEVELOPMENT; FLOOD

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60. HRS s 205A-26 HAWAII REVISED STATUTES ANNOTATED DIVISION 1. GOVERNMENT. TITLE 13. PLANNING AND ECONOMIC DEVELOPMENT. CHAPTER 205A. COASTAL ZONE MANAGEMENT. PART II. SPECIAL MANAGEMENT AREAS. s 205A-26 Special management area guidelines.

61. I.C. s 22-2719 WEST'S IDAHO CODE ANNOTATED TITLE 22. AGRICULTURE AND HORTICULTURE CHAPTER 27. SOIL CONSERVATION DISTRICTS s 22-2719. Creation of soil conservation districts

62. I.C. s 31-875 WEST'S IDAHO CODE ANNOTATED TITLE 31. COUNTIES AND COUNTY LAW CHAPTER 8. POWERS AND DUTIES OF BOARD OF COMMISSIONERS s 31-875. Computerized mapping system fees

63. I.C. s 50-345 WEST'S IDAHO CODE ANNOTATED TITLE 50. MUNICIPAL CORPORATIONS CHAPTER 3. POWERS s 50-345. Computerized mapping system fees

64. I.C. s 67-6508 WEST'S IDAHO CODE ANNOTATED TITLE 67. STATE GOVERNMENT AND STATE AFFAIRS CHAPTER 65. LOCAL LAND USE PLANNING s 67-6508. Planning duties

65. I.C. s 22-2719 IDAHO CODE TITLE 22. AGRICULTURE AND HORTICULTURE CHAPTER 27. SOIL CONSERVATION DISTRICTS 22-2719 Creation of soil conservation districts. 22-2719 Creation of soil conservation districts.

66. I.C. s 31-875 IDAHO CODE TITLE 31. COUNTIES AND COUNTY LAW CHAPTER 8. POWERS AND DUTIES OF BOARD OF COMMISSIONERS 31-875 Computerized mapping system fees. 31-875 Computerized mapping system fees.

67. I.C. s 50-345 IDAHO CODE TITLE 50. MUNICIPAL CORPORATIONS CHAPTER 3. POWERS 50-345 Computerized mapping system fees. 50-345 Computerized mapping system fees.

68. I.C. s 67-6508 IDAHO CODE TITLE 67. STATE GOVERNMENT AND STATE AFFAIRS CHAPTER 65. LOCAL LAND USE PLANNING 67-6508 Planning duties.

69. 65 ILCS 5/11-80-11 WEST'S SMITH-HURD ILLINOIS COMPILED STATUTES ANNOTATED CHAPTER 65. MUNICIPALITIES ACT 5. ILLINOIS MUNICIPAL CODE ARTICLE 11. CORPORATE POWERS AND FUNCTIONS PUBLIC WORKS, BUILDINGS AND PROPERTY STREETS AND PUBLIC WAYS DIVISION 80. GENERAL POWERS OVER STREETS AND PUBLIC WAYS 5/11-80-11. Cross-walks, curbs, and gutters

70. 70 ILCS 405/10 WEST'S SMITH-HURD ILLINOIS COMPILED STATUTES ANNOTATED CHAPTER 70. SPECIAL DISTRICTS CONSERVATION ACT 405. SOIL AND WATER CONSERVATION DISTRICTS ACT 405/10. Findings and determinations of department

71. 225 ILCS 715/6 WEST'S SMITH-HURD ILLINOIS COMPILED STATUTES ANNOTATED CHAPTER 225. PROFESSIONS AND OCCUPATIONS NATURAL RESOURCES ACT 715. SURFACE-MINED LAND CONSERVATION AND RECLAMATION ACT 715/6. Duties of operator

72. 615 ILCS 105/5 WEST'S SMITH-HURD ILLINOIS COMPILED STATUTES ANNOTATED CHAPTER 615. WATERWAYS ACT 105. HENNEPIN CANAL PARKWAY STATE PARK ACT 105/5. Rock Falls Dam

73. IC 14-25-8-2 WEST'S ANNOTATED INDIANA CODE TITLE 14. NATURAL AND CULTURAL RESOURCES ARTICLE 25. WATER RIGHTS AND RESOURCES CHAPTER 8. WATER AND GEOLOGICAL RESOURCES RESEARCH 14-25-8-2 Duties of department

74. IC 16-19-3-27 WEST'S ANNOTATED INDIANA CODE TITLE 16. HEALTH ARTICLE 19. STATE DEPARTMENT OF HEALTH CHAPTER 3. POWERS AND DUTIES OF STATE DEPARTMENT OF HEALTH AND EXECUTIVE BOARD 16-19-3-27 Residential septic systems and onsite residential sewage discharging disposal systems

75. IC 36-4-3-13 WEST'S ANNOTATED INDIANA CODE TITLE 36. LOCAL GOVERNMENT ARTICLE 4. GOVERNMENT OF CITIES AND TOWNS GENERALLY CHAPTER 3. MUNICIPAL ANNEXATION AND DISANNEXATION 36-4-3-13 Remonstrances; hearing; order; requirements

76. IC 36-4-3-16 WEST'S ANNOTATED INDIANA CODE TITLE 36. LOCAL GOVERNMENT ARTICLE 4. GOVERNMENT OF CITIES AND TOWNS GENERALLY CHAPTER 3. MUNICIPAL ANNEXATION AND DISANNEXATION 36-4-3-16 Complaint alleging injury from failure to implement plan; limitation period; relief; requirements; change of venue; costs

77. I.C.A. s 455B.304 IOWA CODE ANNOTATED TITLE XI. NATURAL RESOURCES SUBTITLE 1. CONTROL OF ENVIRONMENT CHAPTER 455B. JURISDICTION OF DEPARTMENT OF NATURAL RESOURCES DIVISION IV. SOLID WASTE DISPOSAL PART 1. SOLID WASTE 455B.304. Rules established

78. I.C.A. s 455B.334 IOWA CODE ANNOTATED TITLE XI. NATURAL RESOURCES SUBTITLE 1. CONTROL OF ENVIRONMENT CHAPTER 455B. JURISDICTION OF DEPARTMENT OF NATURAL RESOURCES DIVISION IV. SOLID WASTE DISPOSAL PART 2. RADIOACTIVE WASTE 455B.334. Waste disposal site

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80. K.S.A. s 19-2898 KANSAS STATUTES ANNOTATED CHAPTER 19.--COUNTIES AND COUNTY OFFICERS ARTICLE 28.--PARKS, MUSEUMS, LAKES AND RECREATIONAL GROUNDS COUNTIES BETWEEN 175,000 AND 250,000 19-2898. Same; resolution by park boards; contents; approval of county commissioners; engineering report and recommendations.

81. KRS s 81.060 BALDWIN'S KENTUCKY REVISED STATUTES ANNOTATED TITLE IX. COUNTIES, CITIES, AND OTHER LOCAL UNITS CHAPTER 81. CITY CLASSIFICATION, BOUNDARIES, AND ALTERNATIVE METHOD OF CONSOLIDATING GOVERNMENTAL SERVICES INCORPORATIONS 81.060 Standards for incorporation; court considerations; judgment; certification to Secretary of State

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83. KRS s 224A.302 BALDWIN'S KENTUCKY REVISED STATUTES ANNOTATED TITLE XVIII. PUBLIC HEALTH CHAPTER 224A. KENTUCKY INFRASTRUCTURE AUTHORITY 224A.302 Establishment of 2020 water management areas by area development districts

84. KRS s 262.110 BALDWIN'S KENTUCKY REVISED STATUTES ANNOTATED TITLE XXI. AGRICULTURE AND ANIMALS CHAPTER 262. SOIL AND WATER CONSERVATION SOIL AND WATER CONSERVATION 262.110 Hearing on creation of district; matters to be considered

85. LSA-R.S. 3:1205 WEST'S LOUISIANA STATUTES ANNOTATED LOUISIANA REVISED STATUTES TITLE 3. AGRICULTURE AND FORESTRY CHAPTER 9. SOIL CONSERVATION PART I. SOIL AND WATER CONSERVATION DISTRICTS s 1205. Creation; division or combination

86. LSA-R.S. 18:532 WEST'S LOUISIANA STATUTES ANNOTATED LOUISIANA REVISED STATUTES TITLE 18. LOUISIANA ELECTION CODE CHAPTER 5. PRIMARY AND GENERAL ELECTIONS PART V. VOTERS AND VOTING SUBPART B. PLACES FOR VOTING s 532. Establishment of precincts

87. LSA-R.S. 33:135 WEST'S LOUISIANA STATUTES ANNOTATED LOUISIANA REVISED STATUTES TITLE 33. MUNICIPALITIES AND PARISHES CHAPTER 1. CREATION, ORGANIZATION, ALTERATION, AND DISSOLUTION PART IV. PHYSICAL DEVELOPMENT OF PARISHES AND MUNICIPALITIES SUBPART C. REGIONAL PLANNING COMMISSIONS s 135. General powers and duties

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89. 12 M.R.S.A. s 152 MAINE REVISED STATUTES ANNOTATED TITLE 12. CONSERVATION PART 1. SOIL AND WATER CONSERVATION CHAPTER 1. SOIL AND WATER CONSERVATION DISTRICTS SUBCHAPTER 4. FORMATION OF DISTRICTS s 152. Hearing; determination

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92. 36 M.R.S.A. s 1105 MAINE REVISED STATUTES ANNOTATED TITLE 36. TAXATION PART 2. PROPERTY TAXES CHAPTER 105. CITIES AND TOWNS SUBCHAPTER X. FARM AND OPEN SPACE TAX LAW s 1105. Valuation of farmland

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94. 38 M.R.S.A. s 490-A MAINE REVISED STATUTES ANNOTATED TITLE 38. WATERS AND NAVIGATION CHAPTER 3. PROTECTION AND IMPROVEMENT OF WATERS SUBCHAPTER I. ENVIRONMENTAL PROTECTION BOARD ARTICLE 7. PERFORMANCE STANDARDS FOR EXCAVATIONS FOR BORROW, CLAY, TOPSOIL OR SILT s 490-A. Definitions

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97. MD Code, Natural Resources, s 5-606 WEST'S ANNOTATED CODE OF MARYLAND NATURAL RESOURCES TITLE 5. FORESTS AND PARKS SUBTITLE 6--FOREST CONSERVANCY DISTRICTS s 5-606. Functions of boards

98. MD Code, Natural Resources, s 5-1607 WEST'S ANNOTATED CODE OF MARYLAND NATURAL RESOURCES TITLE 5. FORESTS AND PARKS SUBTITLE 16--FOREST CONSERVATION s 5-1607. Preferred sequence; priorities

99. MD Code, State Finance and Procurement, s 5-7B-03 WEST'S ANNOTATED CODE OF MARYLAND STATE FINANCE AND PROCUREMENT DIVISION I. STATE FINANCE TITLE 5. STATE PLANNING SUBTITLE 7B--PRIORITY FUNDING AREAS s 5-7B-03. Designation of priority funding areas

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110. Miss. Code Ann. s 69-27-17 WEST'S ANNOTATED MISSISSIPPI CODE TITLE 69. AGRICULTURE, HORTICULTURE, AND ANIMALS CHAPTER 27. SOIL CONSERVATION ARTICLE 1. DISTRICTS s 69-27-17. Districts; hearing and determination of necessity

111. Miss. Code Ann. s 69-27-57 WEST'S ANNOTATED MISSISSIPPI CODE TITLE 69. AGRICULTURE, HORTICULTURE, AND ANIMALS CHAPTER 27. SOIL CONSERVATION ARTICLE 1. DISTRICTS s 69-27-57. Adjustment or consolidation; administrative feasibility

112. V.A.M.S. 251.160 VERNON'S ANNOTATED MISSOURI STATUTES TITLE XVI. CONSERVATION, RESOURCES AND DEVELOPMENT CHAPTER 251. COMMUNITY AFFAIRS, PLANNING AND DEVELOPMENT PLANNING AND DEVELOPMENT 251.160. Definitions--creation of commission--transportation planning boundary

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114. Neb.Rev.St. s 2-1569 NEBRASKA REVISED STATUTES OF 1943 CHAPTER 2. AGRICULTURE ARTICLE 15. NEBRASKA NATURAL RESOURCES COMMISSION (A) GENERAL PROVISIONS s 2-1569. Basic data, defined.

115. Neb.Rev.St. s 81-1579 NEBRASKA REVISED STATUTES OF 1943 CHAPTER 81. STATE ADMINISTRATIVE DEPARTMENTS ARTICLE 15. ENVIRONMENTAL PROTECTION (F) LOW-LEVEL RADIOACTIVE WASTE DISPOSAL ACT s 81-1579. Legislative policy.

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117. N.R.S. 268.646 WEST'S NEVADA REVISED STATUTES ANNOTATED TITLE 21. CITIES AND TOWNS CHAPTER 268. POWERS AND DUTIES COMMON TO CITIES AND TOWNS INCORPORATED UNDER GENERAL OR SPECIAL LAWS ANNEXATION BY CITIES IN OTHER COUNTIES 268.646. Factors to be considered in review of proposed annexation

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121. N.H. Rev. Stat. s 674:25 REVISED STATUTES ANNOTATED OF THE STATE OF NEW HAMPSHIRE TITLE LXIV. PLANNING AND ZONING CHAPTER 674. LOCAL LAND USE PLANNING AND REGULATORY POWERS EMERGENCY TEMPORARY ZONING AND PLANNING ORDINANCES 674:25 Districting Under Interim Zoning Ordinance.

122. N.J.S.A. 4:24-42 NEW JERSEY STATUTES ANNOTATED TITLE 4. AGRICULTURE AND DOMESTIC ANIMALS CHAPTER 24. SOIL CONSERVATION ARTICLE 13. SOIL EROSION [AND] SEDIMENT CONTROL 4:24-42. Standards for control of soil erosion and sedimentation; promulgation, amendment and repeal

123. N.J.S.A. 13:1B-15.139 NEW JERSEY STATUTES ANNOTATED TITLE 13. CONSERVATION AND DEVELOPMENT--PARKS AND RESERVATIONS CHAPTER 1B. DEPARTMENT OF CONSERVATION AND ECONOMIC DEVELOPMENT [DEPARTMENT OF ENVIRONMENTAL PROTECTION ACT OF 1970] ARTICLE IIC. PARKS, FORESTRY AND RECREATION 13:1B-15.139. Projects by private landowners

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144. N. M. S. A. 1978, s 73-20-32 WEST'S NEW MEXICO STATUTES ANNOTATED CHAPTER 73. SPECIAL DISTRICTS ARTICLE 20. SOIL AND WATER AND WATERSHED CONSERVATION DISTRICTS s 73-20-32. Additional duties of department

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148. McKinney's General Municipal Law s 554 MCKINNEY'S CONSOLIDATED LAWS OF NEW YORK ANNOTATED GENERAL MUNICIPAL LAW CHAPTER 24 OF THE CONSOLIDATED LAWS ARTICLE 15-A--MUNICIPAL URBAN RENEWAL AGENCIES, ORGANIZATION AND POWERS s 554. Powers of an agency

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163. O.R.S. s 197.298 WEST'S OREGON REVISED STATUTES ANNOTATED TITLE 19. MISCELLANEOUS MATTERS RELATED TO GOVERNMENT AND PUBLIC AFFAIRS CHAPTER 197. COMPREHENSIVE LAND USE PLANNING COORDINATION NEEDED HOUSING IN URBAN GROWTH AREAS 197.298. Urban growth boundary; land priority

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165. O.R.S. s 215.044 WEST'S OREGON REVISED STATUTES ANNOTATED TITLE 20. COUNTIES AND COUNTY OFFICERS CHAPTER 215. COUNTY PLANNING; ZONING; HOUSING CODES COUNTY PLANNING 215.044. Solar access ordinances; purpose; standards

166. O.R.S. s 227.190 WEST'S OREGON REVISED STATUTES ANNOTATED TITLE 21. CITIES CHAPTER 227. CITY PLANNING AND ZONING SOLAR ACCESS ORDINANCES 227.190. Solar access ordinances; adoption

167. O.R.S. s 530.010 WEST'S OREGON REVISED STATUTES ANNOTATED TITLE 44. FORESTRY AND FOREST PRODUCTS CHAPTER 530. STATE FORESTS; COMMUNITY FORESTS ACQUISITION, MANAGEMENT AND DEVELOPMENT OF STATE FORESTS 530.010. Acquisition of lands by State Board of Forestry; lands designated as state forests

168. O.R.S. s 542.060 WEST'S OREGON REVISED STATUTES ANNOTATED TITLE 45. WATER RESOURCES: IRRIGATION, DRAINAGE, FLOOD CONTROL, RECLAMATION CHAPTER 542. WATER RESOURCE SURVEYS AND PROJECTS; COMPACTS SURVEY OF WATER RESOURCES 542.060. Information on availability of water for beneficial uses; duties of Water Resources Commission; gauging stations; publication of information

169. 3 Pa.C.S.A. s 504 PURDON'S PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES ANNOTATED TITLE 3 PA.C.S.A. AGRICULTURE CODE PART I GENERAL PROVISIONS CHAPTER 5 NUTRIENT MANAGEMENT AND ODOR MANAGEMENT s 504. Powers and duties of commission

170. 30 Pa.C.S.A. s 3501 PURDON'S PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES ANNOTATED TITLE 30 PA.C.S.A. FISH PART II FISH AND FISHING CHAPTER 35 DAMS, BAR RACKS AND MIGRATION DEVICES s 3501. Devices in dams to permit fish migration

171. 32 P.S. s 145 PURDON'S PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES ANNOTATED TITLE 32 P.S. FORESTS, WATERS AND STATE PARKS PART I FORESTS CHAPTER 5 MINERAL PROSPECTING AND DEVELOPMENT s 145. Development permit

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174. 32 P.S. s 5402 PURDON'S PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES ANNOTATED TITLE 32 P.S. FORESTS, WATERS AND STATE PARKS PART IV CONSERVATION AND LAND DEVELOPMENT CHAPTER 105 RECREATIONAL IMPROVEMENT AND REHABILITATION ACT s 5402. Definitions

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176. 53 P.S. s 10707 PURDON'S PENNSYLVANIA STATUTES AND CONSOLIDATED STATUTES ANNOTATED TITLE 53 P.S. MUNICIPAL AND QUASI-MUNICIPAL CORPORATIONS PART I GENERAL MUNICIPAL LAW CHAPTER 30 PLANNING AND DEVELOPMENT ARTICLE VII. PLANNED RESIDENTIAL DEVELOPMENT s 10707. Application for tentative approval of planned residential development

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183. 5 L.P.R.A. s 1751 LAWS OF PUERTO RICO ANNOTATED TITLE FIVE. Agriculture CHAPTER 60A. Agricultural Development of Guanajibo Valley s 1751 Statement of public policy

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190. Gen.Laws 1956, s 45-22.2-4 GENERAL LAWS OF RHODE ISLAND ANNOTATED, 1956 TITLE 45. TOWNS AND CITIES CHAPTER 22.2. RHODE ISLAND COMPREHENSIVE PLANNING AND LAND USE ACT 45-22.2-4. Definitions.

191. Gen.Laws 1956, s 45-23-40 GENERAL LAWS OF RHODE ISLAND ANNOTATED, 1956 TITLE 45. TOWNS AND CITIES CHAPTER 23. SUBDIVISION OF LAND 45-23-40. General provisions -- Major land development and major subdivision -- Master plan.

192. Gen.Laws 1956, s 1 GENERAL LAWS OF RHODE ISLAND ANNOTATED, 1956 TITLE 45. TOWNS AND CITIES CHAPTER 46. SOIL EROSION AND SEDIMENT CONTROL Section 1. Soil Erosion and Sediment Control Plan.

193. Code 1976 s 48-9-20 CODE OF LAWS OF SOUTH CAROLINA 1976 ANNOTATED TITLE 48. ENVIRONMENTAL PROTECTION AND CONSERVATION CHAPTER 9. SOIL AND WATER CONSERVATION DISTRICTS LAW ARTICLE 1. GENERAL PROVISIONS s 48-9-20. Legislative declaration of purpose.

194. Code 1976 s 48-9-560 CODE OF LAWS OF SOUTH CAROLINA 1976 ANNOTATED TITLE 48. ENVIRONMENTAL PROTECTION AND CONSERVATION CHAPTER 9. SOIL AND WATER CONSERVATION DISTRICTS LAW ARTICLE 5. CREATION OF SOIL AND WATER CONSERVATION DISTRICTS s 48-9-560. Determination of need for district; boundaries.

195. Code 1976 s 48-39-280 CODE OF LAWS OF SOUTH CAROLINA 1976 ANNOTATED TITLE 48. ENVIRONMENTAL PROTECTION AND CONSERVATION CHAPTER 39. COASTAL TIDELANDS AND WETLANDS s 48-39-280. Forty-year retreat policy.

196. SDCL s 10-6-33.1 SOUTH DAKOTA CODIFIED LAWS TITLE 10. TAXATION CHAPTER 10-6. ANNUAL ASSESSMENT OF PROPERTY 10-6-33.1. Factors considered in determining value of agricultural land

197. SDCL s 38-8-3 SOUTH DAKOTA CODIFIED LAWS TITLE 38. AGRICULTURE AND HORTICULTURE CHAPTER 38-8. CONSERVATION DISTRICTS 38-8-3. Factors considered in hearing on petition for organization of district

198. T. C. A. s 11-14-108 WEST'S TENNESSEE CODE ANNOTATED TITLE 11. NATURAL AREAS AND RECREATION CHAPTER 14. NATURAL AREAS PRESERVATION PART 1--GENERAL PROVISIONS s 11-14-108. Area designation

199. T. C. A. s 43-14-208 WEST'S TENNESSEE CODE ANNOTATED TITLE 43. AGRICULTURE AND HORTICULTURE CHAPTER 14. SOIL CONSERVATION PART 2--SOIL CONSERVATION DISTRICTS s 43-14-208. Hearings; boundaries

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201. V.T.C.A., Agriculture Code s 201.121 VERNON'S TEXAS STATUTES AND CODES ANNOTATED AGRICULTURE CODE TITLE 7. SOIL AND WATER CONSERVATION CHAPTER 201. SOIL AND WATER CONSERVATION SUBCHAPTER F. LAND--USE REGULATION s 201.121. Regulatory Powers; Petition for Adoption

202. V.T.C.A., Local Government Code s 42.901 VERNON'S TEXAS STATUTES AND CODES ANNOTATED LOCAL GOVERNMENT CODE TITLE 2. ORGANIZATION OF MUNICIPAL GOVERNMENT SUBTITLE C. MUNICIPAL BOUNDARIES AND ANNEXATION CHAPTER 42. EXTRATERRITORIAL JURISDICTION OF MUNICIPALITIES SUBCHAPTER Z. MISCELLANEOUS PROVISIONS s 42.901. Apportionment of Extraterritorial Jurisdictions That Overlapped on August 23, 1963

203. V.T.C.A., Local Government Code s 43.056 VERNON'S TEXAS STATUTES AND CODES ANNOTATED LOCAL GOVERNMENT CODE TITLE 2. ORGANIZATION OF MUNICIPAL GOVERNMENT SUBTITLE C. MUNICIPAL BOUNDARIES AND ANNEXATION CHAPTER 43. MUNICIPAL ANNEXATION SUBCHAPTER C. ANNEXATION PROCEDURE FOR AREAS ANNEXED UNDER MUNICIPAL ANNEXATION PLAN s 43.056. Provision of Services to Annexed Area

204. V.T.C.A., Local Government Code s 233.035 VERNON'S TEXAS STATUTES AND CODES ANNOTATED LOCAL GOVERNMENT CODE TITLE 7. REGULATION OF LAND USE, STRUCTURES, BUSINESSES, AND RELATED ACTIVITIES SUBTITLE B. COUNTY REGULATORY AUTHORITY CHAPTER 233. COUNTY REGULATION OF HOUSING AND OTHER STRUCTURES SUBCHAPTER B. BUILDING AND SETBACK LINES s 233.035. Board of Building Line Adjustment

205. V.T.C.A., Local Government Code s 402.047 VERNON'S TEXAS STATUTES AND CODES ANNOTATED LOCAL GOVERNMENT CODE TITLE 13. WATER AND UTILITIES SUBTITLE A. MUNICIPAL WATER AND UTILITIES CHAPTER 402. MUNICIPAL UTILITIES SUBCHAPTER C. MUNICIPAL DRAINAGE UTILITY SYSTEMS s 402.047. Drainage Charges

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208. V.T.C.A., Water Code s 58.186 VERNON'S TEXAS STATUTES AND CODES ANNOTATED WATER CODE TITLE 4. GENERAL LAW DISTRICTS CHAPTER 58. IRRIGATION DISTRICTS SUBCHAPTER D. POWERS AND DUTIES s 58.186. Obtaining Topographic Maps and Data

209. 10 V.S.A. s 101 VERMONT STATUTES ANNOTATED TITLE TEN. Conservation and Development PART 1. DEVELOPMENT OF RESOURCES CHAPTER 7. Geologic Surveys and Reports s 101 Division of geology and mineral resources; duties

210. 10 V.S.A. s 711 VERMONT STATUTES ANNOTATED TITLE TEN. Conservation and Development PART 2. SOIL AND WATER CONSERVATION; FLOOD CONTROL CHAPTER 31. Soil Conservation Act SUBCHAPTER 1. Conservation, Development and Use of Natural Resources s 711 Determination of need; boundaries of proposed district

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213. 24 V.S.A. s 4407 VERMONT STATUTES ANNOTATED TITLE TWENTY-FOUR. Municipal and County Government PART 2. MUNICIPALITIES CHAPTER 117. Municipal and Regional Planning and Development SUBCHAPTER 6. Bylaws s 4407 Permitted types of regulations

214. Va. Code Ann. s 2.2-3704 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 2.2. ADMINISTRATION OF GOVERNMENT SUBTITLE II. ADMINISTRATION OF STATE GOVERNMENT PART B. TRANSACTION OF PUBLIC BUSINESS CHAPTER 37. VIRGINIA FREEDOM OF INFORMATION ACT s 2.2-3704. Public records to be open to inspection; procedure for requesting records and responding to request; charges

215. Va. Code Ann. s 10.1-200.1 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 10.1. CONSERVATION SUBTITLE I. ACTIVITIES ADMINISTERED BY THE DEPARTMENT OF CONSERVATION AND RECREATION CHAPTER 2. PARKS AND RECREATION ARTICLE 1. STATE PARKS s 10.1-200.1. State park master planning

216. Va. Code Ann. s 10.1-512 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 10.1. CONSERVATION SUBTITLE I. ACTIVITIES ADMINISTERED BY THE DEPARTMENT OF CONSERVATION AND RECREATION CHAPTER 5. SOIL AND WATER CONSERVATION ARTICLE 3. SOIL AND WATER CONSERVATION DISTRICTS s 10.1-512. Determination of need for district

217. Va. Code Ann. s 10.1-1196 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 10.1. CONSERVATION SUBTITLE II. ACTIVITIES ADMINISTERED BY OTHER ENTITIES CHAPTER 11.1. DEPARTMENT OF ENVIRONMENTAL QUALITY ARTICLE 3. WATERSHED PLANNING AND PERMITTING PROMOTION AND COORDINATION s 10.1-1196. Guiding definition and principles

218. Va. Code Ann. s 15.2-851.1 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 15.2. COUNTIES, CITIES AND TOWNS SUBTITLE I. GENERAL PROVISIONS; CHARTERS; OTHER FORMS AND ORGANIZATION OF COUNTIES CHAPTER 8. URBAN COUNTY EXECUTIVE FORM OF GOVERNMENT ARTICLE 2. DEPARTMENTS AND COMMISSIONS s 15.2-851.1. Optional provisions of a subdivision ordinance

219. Va. Code Ann. s 15.2-2241 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 15.2. COUNTIES, CITIES AND TOWNS SUBTITLE II. POWERS OF LOCAL GOVERNMENT CHAPTER 22. PLANNING, SUBDIVISION OF LAND AND ZONING ARTICLE 6. LAND SUBDIVISION AND DEVELOPMENT s 15.2-2241. Mandatory provisions of a subdivision ordinance

220. Va. Code Ann. s 15.2-2288.1 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 15.2. COUNTIES, CITIES AND TOWNS SUBTITLE II. POWERS OF LOCAL GOVERNMENT CHAPTER 22. PLANNING, SUBDIVISION OF LAND AND ZONING ARTICLE 7. ZONING s 15.2-2288.1. Localities may not require a special use permit for certain residential uses

221. Va. Code Ann. s 15.2-2309 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 15.2. COUNTIES, CITIES AND TOWNS SUBTITLE II. POWERS OF LOCAL GOVERNMENT CHAPTER 22. PLANNING, SUBDIVISION OF LAND AND ZONING ARTICLE 7. ZONING s 15.2-2309. Powers and duties of boards of zoning appeals

222. Va. Code Ann. s 36-139.5:1 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 36. HOUSING CHAPTER 8. DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT s 36-139.5:1. Eligibility for Industrial Site Development Program

223. Va. Code Ann. s 56-560 WEST'S ANNOTATED CODE OF VIRGINIA TITLE 56. PUBLIC SERVICE COMPANIES CHAPTER 22. PUBLIC-PRIVATE TRANSPORTATION ACT OF 1995 s 56-560. Approval by the responsible public entity

224. 21 V.I.C. s 2 VIRGIN ISLANDS CODE ANNOTATED TITLE TWENTY-ONE. Homesteads and Home Loans CHAPTER 1. General Provisions s 2 Powers and duties of Commissioner

225. 29 V.I.C. s 235 VIRGIN ISLANDS CODE ANNOTATED TITLE TWENTY-NINE. Public Planning and Development CHAPTER 3. Virgin Islands Zoning and Subdivision Law SUBCHAPTER I. Zoning Law s 235 Administration and enforcement

226. West's RCWA 35.58.010 WEST'S REVISED CODE OF WASHINGTON ANNOTATED TITLE 35. CITIES AND TOWNS CHAPTER 35.58. METROPOLITAN MUNICIPAL CORPORATIONS 35.58.010. Declaration of policy and purpose

227. West's RCWA 35A.14.200 WEST'S REVISED CODE OF WASHINGTON ANNOTATED TITLE 35A. OPTIONAL MUNICIPAL CODE CHAPTER 35A.14. ANNEXATION BY CODE CITIES 35A.14.200. Determination by county annexation review board--Factors considered--Filing of findings and decision

228. West's RCWA 36.34.210 WEST'S REVISED CODE OF WASHINGTON ANNOTATED TITLE 36. COUNTIES CHAPTER 36.34. COUNTY PROPERTY 36.34.210. Forest lands may be conveyed to United States

229. West's RCWA 79.11.080 WEST'S REVISED CODE OF WASHINGTON ANNOTATED TITLE 79. PUBLIC LANDS CHAPTER 79.11. STATE LAND SALES PART 1--SALE PROCEDURES 79.11.080. Inspection and appraisal

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231. West's RCWA 79.22.010 WEST'S REVISED CODE OF WASHINGTON ANNOTATED TITLE 79. PUBLIC LANDS CHAPTER 79.22. ACQUISITION, MANAGEMENT, AND DISPOSITION OF STATE FOREST LANDS PART 1--GENERAL PROVISIONS 79.22.010. Powers of department--Acquisition of land for reforestation-- Taxes, cancellation

232. West's RCWA 89.08.100 WEST'S REVISED CODE OF WASHINGTON ANNOTATED TITLE 89. RECLAMATION, SOIL CONSERVATION, AND LAND SETTLEMENT CHAPTER 89.08. CONSERVATION DISTRICTS 89.08.100. Findings--Order

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235. W. Va. Code, s 22-4-17 WEST'S ANNOTATED CODE OF WEST VIRGINIA CHAPTER 22. ENVIRONMENTAL RESOURCES ARTICLE 4. QUARRY RECLAMATION ACT s 22-4-17. Quarrying and reclamation plan

236. W. Va. Code, s 22-11-17 WEST'S ANNOTATED CODE OF WEST VIRGINIA CHAPTER 22. ENVIRONMENTAL RESOURCES ARTICLE 11. WATER POLLUTION CONTROL ACT s 22-11-17. Power of eminent domain; procedures; legislative finding

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238. W.S.A. 59.72 WEST'S WISCONSIN STATUTES ANNOTATED MUNICIPALITIES CHAPTER 59. COUNTIES SUBCHAPTER VII. LAND USE, INFORMATION AND REGULATION, ENVIRONMENTAL PROTECTION, SURVEYS, PLANNING AND ZONING 59.72. Land information

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