

AN ORDINANCE TO PROTECT PERSONS AND PROPERTY IN SURRY COUNTY FROM THE HARMFUL EFFECTS OF RADIATION

In pursuance of authority conferred by Article 6 of Chapter 153A of the General Statutes of North Carolina, and for the purpose of promoting the public health, safety, general welfare, and the protection of persons and property in Surry County from the harmful effects of radiation;

NOW, THEREFORE, the Board of County Commissioners of Surry County, North Carolina, do enact and ordain:

Section 1. This ordinance shall be known and may be cited as the Surry County Radiation Control Ordinance.

Section 2. Unless a different meaning is required by the context, the following terms as used in this Ordinance shall have the meanings hereinafter respectively ascribed to them;

- (1) "Board" meaning Surry County Board of Commissioners.
- (2) "Ionizing radiation" means gamma rays and x-rays, alpha and beta particles, high speed electrons, protons, neutrons, and other nuclear particles; but not sound or radio waves, or visible, infrared, or ultraviolet light.
- (3) "Nonionizing radiation" means radiation in any portion of the electromagnetic spectrum not defined as ionizing radiation, including, but not limited to, such sources as laser, maser or microwave devices.
- (4) "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, agency, political subdivision of this State, any other state or political subdivision or agency thereof, and any legal successor, representative agent or agency of the foregoing, other than the United States Nuclear Regulatory Commission, or any successor thereto, and other than federal government agencies licensed by the United States Nuclear Regulatory Commission, or any successor thereto.
- (5) "Radiation" means gamma rays and x-rays, alpha and beta particles, high speed electrons, protons, neutrons, and other nuclear particles, and electromagnetic radiation consisting of associated and interacting electric magnetic waves including those with frequencies between three times 10 to the eighth power cycles per second and three times 10 to the twenty-fourth power cycles per second and wavelengths between one times 10 to the minus fourteenth power centimeters and 100 centimeters.
- (6) "Radiation machine" means device designed to produce or which produces radiation or nuclear particles when the associated control devices of the machine are operated.
- (7) "Radioactive material" means any solid, liquid, or gas which emits ionizing radiation spontaneously.

Section 3. It shall be unlawful for any person to process, store, bury, receive, or acquire radioactive waste materials or waste material byproducts in Surry County. This ordinance does not apply to the use of radiation machines or radioactive materials within Surry County for medical diagnosis and treatment.

Section 4. If any section, sub-section, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this Ordinance. The County Commissioners of Surry County hereby declare that it would have passed this Ordinance and each section, sub-section, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, sub-sections, sentences, clauses or phrases be declared unconstitutional.

Section 5. Any person who violates the provisions of this Ordinance shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished as provided by North Carolina General Statute 14-4. Each day of violation shall be a separate and distinct offense.

Any person who violates the provisions of this Ordinance shall be subject to a civil penalty to be recovered by Surry County in the sum or \$500.00... for each violation payable within ten (10) days after such person has been cited for violation of this Ordinance.

This Ordinance may be enforced by each and every remedy enumerated in G.S. 153A-123 (d),(e), said provisions being incorporated herein by reference.

Section 6. This Ordinance shall become effective upon adoption.

Adopted this 17th day of September, 1979

BY VOTE:      FOR:            5  
                      AGAINST:      0

ATTEST:

SURRY COUNTY BOARD OF COMMISSIONERS

/s/ Lisa H. York  
Clerk to the Board

BY: /s/ Fletcher Harris  
Chairman