RESOLUTION NO. 26-07-05

RESOLUTION ADOPTING BUNCOMBE COUNTY AIR QUALITY CODE

WHEREAS, on June 16, 2026, pursuant to N.C. Gen. Stat. § 143-215.112(c)(1) the Board of Commissioners established an Air Quality Program subject to certification by the North Carolina Environmental Management Commission (herein "EMC"); and

WHEREAS, on July 9, 2026, pursuant to N.C. Gen. Stat. § 143-215.112(a) the EMC certified the Buncombe County Air Quality Program as a local air pollution control program, effective July 24, 2026; and

WHEREAS, pursuant to N.C. Gen. Stat. § 143-215.112(a)(1), a local program is required to provide by ordinance or local law requirements compatible with those imposed by the provisions of Articles 21 and 21B of Chapter 143 of the General Statutes, and the standards and rules issued pursuant thereto. The Buncombe County Air Quality Code establishes the rules and regulations used by staff to govern air quality issues in Buncombe County; and

WHEREAS, pursuant to Resolution No. 26-6-13, the Board of Commissioners authorized staff to publish notice notifying the public of the opportunity to comment on the proposed Buncombe County Air Quality Code.

WHEREAS, pursuant to Resolution No. 26-6-13, a notice announcing the opportunity for public comment on the intent to adopt the Buncombe County Air Quality Code was published in the Asheville Citizen Times on June 17, 2026. The thirty (30) day comment period ended on July 17, 2026. A public hearing is scheduled for July 21 at 5:30 p.m. at 200 College Street, Asheville, NC 28801.

WHEREAS, to finalize the certification, the Boad of Commissioners must adopt the Buncombe County Air Quality Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE AS FOLLOWS:

1. That pursuant to N.C. Gen. Stat. § 143-215.112(a)(1), and after public notice and hearing, the Buncombe County Air Quality Code is hereby adopted.

2. That all acts and doings of officers, employees, and agents of the County, whether taken prior to, on, or after the date of this Resolution, that are in conformity with and in the furtherance of the purposes and intends of this Resolution as described above shall be, and the same hereby are, in all respects ratified, approved, and confirmed.

3. Any prior resolutions or parts thereof in conflict with the provisions herein contained are, to the extent of such conflicts, hereby superseded and repealed.

4. This Resolution is effective on July 24, 2026.

This the 21st day of July 2026.

ATTEST

Sarah Gross

Sarah Gross, Clerk

BOARD OF COMMISSIONERS FOR THE COUNTY OF BUNCOMBE

Amanda Edwards

Amanda Edwards, Chair

APPROVED AS TO FORM

Curtis V. Euler

County Attorney