



CHAPTER 87  
ARTICLE 8A - UNDERGROUND UTILITY SAFETY AND DAMAGE PREVENTION ACT

N.C.G.S. § 87-124.

Exemptions.

|                                                                                    |                                                               |                                           |                                                                                              |
|------------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|
| SOURCE<br>General Statutes of North Carolina, as published by the General Assembly | LAST AMENDMENT IN THIS TEXT<br>No amendment history on record | RETRIEVED<br>21 September 2026, 04:01 UTC | SOURCE FINGERPRINT<br>fae1cc0fefbc2fa43c2687e0 - 9184db8c468a005cd8e1beb5 - 83e0ef157c03ae2f |
|------------------------------------------------------------------------------------|---------------------------------------------------------------|-------------------------------------------|----------------------------------------------------------------------------------------------|

The notice requirements in G.S. 87-122(a) and G.S. 87-122(b) do not apply to the following:

An excavation or demolition performed by the owner of a single-family residential property on his or her own land that does not encroach on any operator's right-of-way, easement, or permitted use.

An excavation or demolition performed by the owner of a single-family residential property on his or her own land that encroaches on any operator's right-of-way, easement, or permitted use that is performed with nonmechanized equipment.

An excavation or demolition that involves the tilling of soil for agricultural or gardening purposes that encroaches on any operator's right-of-way, easement, or permitted use and is less than 12 inches in depth.

An excavation or demolition for agricultural purposes, as defined in G.S. 106-581.1, performed on property that does not encroach on any operator's right-of-way, easement, or permitted use.

An excavation by an operator, surveyor, or their contractor with nonmechanized equipment for the following purposes:

- a. Locating for a valid notification request or for the minor repair, connection, or routine maintenance of an existing facility or survey pin.
- b. Probing underground to determine the extent of gas or water migration.

An excavation or demolition performed for the purpose of maintenance activities within the right-of-way. Maintenance activities shall include emergency replacement of signs critical for maintaining safety or reshaping of shoulders and ditches to the original road profile. Maintenance activities do not include the initial installation of traffic signs, traffic control equipment, guardrails, or drainage structures. The provisions of this subdivision do not apply when the excavation or demolition is performed by a contractor acting on behalf of a person or entity responsible for routine maintenance of a right-of-way.

An excavation or demolition performed by a railroad entirely on land which the railroad owns or operates or, in the event of an emergency, on adjacent land. No provision in this Article shall apply to any railroad which owns, operates, or permits facilities under land which the railroad owns or operates.

An excavation of a grave space, as defined in G.S. 65-48(10), the installation of a monument or memorial at a grave space, or an excavation related to the placement of a temporary structure or tent by a cemetery regulated under Chapter 65 of the General Statutes that does not encroach on any operator's right-of-way, easement, or permitted use.

Pavement milling and pavement resurfacing. (2013-407, s. 2; 2017-57, s. 34.40(a); 2019-189, s. 1; 2025-21, s. 4.)

END OF SECTION TEXT

APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS II  
4 AUTHORITIES

Authorities referenced

Every G.S. cross-reference appearing in the text of this section, in order of first appearance. Nothing is characterized; the operative language is quoted from the section itself.

| REFERENCE      | APPEARS IN | OPERATIVE LANGUAGE IN THIS SECTION          |
|----------------|------------|---------------------------------------------|
| G.S. 87-122(a) |            | "The notice requirements in"                |
| G.S. 87-122(b) |            | "notice requirements in G.S. 87-122(a) and" |
| G.S. 106-581.1 | (null)(4)  | "for agricultural purposes, as defined in"  |
| G.S. 65-48(10) | (null)(8)  | "a grave space, as defined in"              |

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 87-124 (2026).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

## COLOPHON

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