

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 238
HOUSE BILL 563

AN ACT TO PROVIDE FOR JUDICIAL REVIEW OF DECISIONS OF THE CITY
OF WILMINGTON IN GRANTING OR DENYING APPROVAL OF
SUBDIVISION PLATS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 495, Session Laws of 1977, being the Charter of the City of Wilmington, is amended by adding a new section to read:

"Sec. 23.9. Judicial review of decisions granting or denying approval of subdivision plats. A final decision granting or denying approval of a subdivision plat by the city council or designated planning agency, whichever has final approval authority under an ordinance regulating the subdivision of land within the City's territorial jurisdiction, shall be subject to review by the superior court of New Hanover County by proceedings in the nature of certiorari. A petitioner seeking review must file a petition in the superior court of New Hanover County within 30 days of the final decision of the city council or planning agency. Failure to file such a petition within 30 days of such final decision shall bar review by the superior court. The final decision of the city council or planning agency shall not be stayed pending review except by order granted by the superior court."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 23rd day of May, 1985.