

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 713
HOUSE BILL 655

AN ACT TO MODIFY THE MOUNTAIN RIDGE PROTECTION ACT OF 1983 IN
CITIES OF 50,000 OR MORE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113A-206(6) is amended by adding immediately after the words "that a county" the words ", or a city with a population of fifty thousand (50,000) or more,".

Sec. 2. G.S. 113A-208(d) is amended by adding at the end:

"Additionally, a city with a population of 50,000 or more may apply the ordinance to other mountain ridges within its extraterritorial planning jurisdiction if it finds that this application is reasonably necessary to protect against some or all of the hazards or problems set forth in G.S. 113A-207".

Sec. 3. G.S. 113A-212 is amended by adding a new subsection to read:

"(b1) By January 1, 1986, a map, drawing, or document tentatively identifying the protected mountain ridge crests of each city with a population of fifty thousand (50,000) or more that has eliminated the requirement for a minimum elevation of 3,000 feet, shall be filed by the Secretary of Natural Resources and Community Development with the board of county commissioners and with the city governing body. By March 1, 1986, the map, drawing, or document identifying the protected mountain ridge crests in the city with a population of fifty thousand (50,000) or more shall be permanently filed by the Secretary with the register of deeds in the county where the land within that city with a population of fifty thousand (50,000) or more lies, and shall be made available for inspection at the Secretary's office in Raleigh. Copies of the maps, drawings, or documents certified by the register of deeds shall be admitted in evidence in all courts and shall have the same force and effect as would the original."

Sec. 4. G.S. 113A-208(a) is amended by adding at the end:

"A city with a population of 50,000 or more may adopt, prior to January 1, 1986, an ordinance eliminating the requirement for an elevation of 3,000 feet, as permitted by G.S. 113A-206(6)."

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 11th day of July, 1985.