

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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HOUSE BILL 1083*
Second Edition Engrossed 6/13/96

Short Title: Mail ETJ Notice/Hearing on Appointments.

(Public)

Sponsors: Representatives Ellis; Allred, Brawley, Justus, Preston, Pulley, J. Robinson, Sexton, and Sherrill.

Referred to: Finance.

May 14, 1996

A BILL TO BE ENTITLED

1
2 AN ACT TO REQUIRE FIRST-CLASS MAIL NOTICE TO ALL PROPERTY
3 OWNERS IN AN AREA PROPOSED FOR ADDITION TO A MUNICIPALITY'S
4 EXTRATERRITORIAL PLANNING AND ZONING JURISDICTION,
5 PROPORTIONAL REPRESENTATION FOR RESIDENTS OF THE ETJ ON THE
6 PLANNING AGENCY, AND A HEARING BEFORE COUNTY APPOINTMENT
7 OF REPRESENTATION TO THE PLANNING AGENCY.

8 The General Assembly of North Carolina enacts:

9 Section 1. G.S. 160A-360 is amended by adding a subsection to read:

10 "(a1) Any municipality planning to exercise extraterritorial jurisdiction under this
11 Article shall notify the owners of all parcels of land proposed for addition to the area of
12 extraterritorial jurisdiction, as shown on the county tax records. The notice shall be sent
13 by first-class mail to the last addresses listed for affected property owners in the county
14 tax records. The notice shall inform the landowner of the effect of the extension of
15 extraterritorial jurisdiction, of the landowner's right to participate in a public hearing prior
16 to adoption of any ordinance extending the area of extraterritorial jurisdiction, as
17 provided in G.S. 160A-364, and the right of all residents of the area to apply to the board
18 of county commissioners to serve as a representative on the planning agency and the

1 board of adjustment, as provided in G.S. 160A-362. The notice shall be mailed at least
2 four weeks prior to the public hearing. The person or persons mailing the notices shall
3 certify to the city council that the notices were sent by first-class mail, and the certificate
4 shall be deemed conclusive in the absence of fraud."

5 Sec. 2. G.S. 160A-362 reads as rewritten:

6 **"§ 160A-362. Extraterritorial representation.**