

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 827

Short Title: Wake Forest/Cary Historic Structures. (Local)

Sponsors: Representatives Avila, Dollar, Weiss, and T. Harrell (Primary Sponsors).

Referred to: Local Government II.

March 15, 2007

A BILL TO BE ENTITLED
AN ACT TO ALLOW THE TOWNS OF CARY AND WAKE FOREST TO ADOPT
ORDINANCES REGULATING DEMOLITION OF HISTORIC STRUCTURES IN
THEIR HISTORIC DISTRICTS.

The General Assembly of North Carolina enacts:

SECTION 1.(a) In order to preserve and enhance one of the most valuable and unique natural resources of the community, and to preserve the property values and promote the general welfare of its citizens, a municipality may adopt ordinances to regulate the demolition of historic structures within its municipal corporate limits and extraterritorial jurisdiction. For purposes of this act, the term "historic structures" means:

- (1) Any designated local, State, or national landmark; or,
- (2) Any structure that is:
 - a. Individually listed in the National Register of Historic Places;
 - b. Individually identified as a contributing structure in a historic district listed in the National Register of Historic Places;
 - c. Certified or preliminarily determined by the Secretary of the Interior as contributing to the significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
 - d. Individually listed in the State inventory of historic places;
 - e. Individually listed in the county Register of Historic Places; or,
 - f. Individually listed in a local inventory of historic places in communities with historic preservation programs that have been certified by an approved State program (including certified local governments) as determined by the Secretary of the Interior or directly by the Secretary of the Interior in states without approved programs.

1 **SECTION 1.(b)** Prior to adopting an ordinance under this act, a public
2 hearing shall be held before the governing board of the municipality. Notice of the
3 hearing shall be given in accordance with G.S. 160A-364. An ordinance adopted under
4 this act may not prohibit the demolition of historic structures except in accordance with
5 the provisions of Part 3C of Article 19 of Chapter 160A of the General Statutes.

6 **SECTION 2.** This act applies to the Towns of Cary and Wake Forest only.

7 **SECTION 3.** This act is effective when it becomes law.