

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 738

Short Title: Wilmington Zoning Violations.

(Local)

Sponsors: Representatives Gottovi and Payne.

Referred to: Local and Regional Government I.

April 15, 1991

A BILL TO BE ENTITLED

1 AN ACT TO AUTHORIZE THE CITY OF WILMINGTON TO WITHHOLD
2 FUTURE APPROVALS FROM A PERSON WITH OUTSTANDING ZONING
3 AND SUBDIVISION ORDINANCE VIOLATIONS.
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5 The General Assembly of North Carolina enacts:

6 Section 1. G.S. 160A-175 is amended by adding a new subsection to read:

7 "(h) A city ordinance adopted under Article 19, Parts 2 and 3 of this Chapter, may
8 provide that, in the event that a person has not satisfied a final administrative order or
9 fine resulting from a violation of that ordinance, the city may withhold, until the fine or
10 order is satisfied, any other permits or approvals applied for by that person pursuant to
11 the State Building Code or any ordinance made under authority conferred by Article 19
12 of this Chapter. The withholding of permits and approvals may continue until a final
13 judgment, after all appeals, is rendered by a court of competent jurisdiction which
14 renders the administrative order or fine invalid. This subsection does not preclude the
15 person subject to the administrative order or fine from petitioning a court of competent
16 jurisdiction for equitable relief from the withholding of permits and approvals."

17 Sec. 2. This act applies only to the City of Wilmington.

18 Sec. 3. This act is effective upon ratification.