

NORTH CAROLINA GENERAL ASSEMBLY  
1969 SESSION

CHAPTER 1088  
HOUSE BILL 714

AN ACT TO REDEFINE THE EXTRATERRITORIAL ZONING AND  
SUBDIVISION JURISDICTION OF THE TOWN OF CHAPEL HILL AND  
CARRBORO.

The General Assembly of North Carolina do enact:

**Section 1.** The Towns of Chapel Hill and Carrboro in Orange County, North Carolina, in addition to the extraterritorial zoning and subdivision jurisdiction heretofore granted to each by any local law or other general law are specifically authorized and empowered to exercise the jurisdiction as provided by G.S. 160-181.2 whenever the same is in excess of that otherwise conferred.

**Sec. 2.** Exercise of extraterritorial zoning and subdivision jurisdiction by either The Town of Chapel Hill or The Town of Carrboro pursuant to local laws or the General Statutes shall be subject to the following provisions:

(a) The division line between the extraterritorial jurisdiction of The Town of Chapel Hill and The Town of Carrboro may by mutual written agreement of said municipalities be relocated from time to time.

(b) When either The Town of Chapel Hill or The Town of Carrboro, by reason of annexation extends its territorial jurisdiction into any area subject to the extraterritorial jurisdiction of the other, and any such areas are at the time of said annexation, subject to the provisions of a duly enacted zoning ordinance, they shall remain subject to the provisions of such ordinance for a period of sixty (60) days thereafter, at the conclusion of which time zoning and subdivision jurisdiction shall pass to the annexing municipality. During said sixty (60) day period, the annexing municipality may take any actions (including the holding of hearings) which may be required to adopt the necessary amendments to its ordinance which amendment may become effective at the expiration of the period.

(c) Whenever the extraterritorial jurisdiction of either municipality is extended pursuant to the provisions of this Act, by agreement or by application of G.S. 160-181.2, the governing body of each said municipality is hereby authorized to make effective and enforce within such territory lying outside their respective corporate limits and within one (1) mile thereof, all planning, zoning, and subdivision regulations, ordinances, and controls to the same extent as are effective within the corporate limits of said municipality, and all ordinances and codes of the Town regulating the construction and repair of buildings, including building codes, plumbing codes, electrical codes, heating and air conditioning codes, fire prevention codes, minimum

housing codes adopted pursuant to Article 15 of Chapter 160 of the General Statutes, and ordinances adopted pursuant to G.S. 160-200(28) relating to unsafe buildings. In addition, the Board of Aldermen is hereby authorized to enforce in such area the North Carolina State Building Code, the North Carolina State Plumbing Code, and the North Carolina Uniform Residential Building Code, all as published by the North Carolina Building Code Council. Such enforcement powers shall include the power to require that prior to the beginning of any construction, reconstruction, or alteration of any building or structure or any part or system thereof within such area, the appropriate permit or permits be obtained from the Town, and the power to make a reasonable charge therefor; provided, that the governing body of said municipality may by ordinance require that the contractor or other person charged with such construction, reconstruction, or alteration secure such permit or permits, rather than requiring the owner of the property to do so.

(d) The governing bodies of each said municipality in the exercise of extraterritorial zoning and subdivision jurisdiction pursuant to the provisions of G.S. 160-181.2 and this Act shall have full power and authority by resolution to decline to exercise any part of such jurisdiction (whether within or without Orange County) so as to conform to street lines, roads, property lines, branches, or other natural division, and any such area so declined, and those areas within which the municipality has not exercised its regulatory powers shall be and remain subject to the county zoning ordinance, if any, then in effect.

(e) Exercise by either Municipality of extraterritorial zoning and subdivision jurisdiction pursuant to the provisions of G.S. 160-181.2 and this Act in any area subject to a zoning ordinance enacted by the Orange or Durham County Board of Commissioners shall be subject to mutual agreement between the said Board of Commissioners and the governing body of said Municipality, and said agreement may limit the exercise of said jurisdiction so as to conform to street lines, roads, property lines, branches or other natural divisions, and in any area not agreed upon, the County Zoning Ordinance shall be and remain in effect.

**Sec. 3. Assessment Ratios.** (a) G.S. 105-294, as the same appears in the 1967 Cumulative Supplement to Volume 2D of the General Statutes, is hereby amended as follows:

(1) by striking out of the ninth and tenth lines of the second paragraph the words "required by this Section to use the assessments determined by the board of county commissioners" and inserting in lieu thereof the words "within the county";

(2) by inserting in the first line of the third paragraph, between the word "shall" and the word "be", the words "for county tax purposes";

(3) by inserting between the second and third sentences of the third paragraph the following sentences: "The Board of Aldermen of the Town of Chapel Hill shall select for its tax purposes the percentage or assessment ratio selected by the Orange County Board of Commissioners and shall apply this to the appraised value of all property within its corporate limits without regard to the County in which such property lies."

(4) by inserting in the sixth line of the fourth paragraph, between the word "county" and the word "shall", the words "and the Town".

(b) G.S. 105-333 is hereby amended as follows:

(1) by adding at the end of the first paragraph the sentence: "County tax officials shall make available, upon request by the Town, a record of the property within the city or town, which record shall show for all property the appraised value and the assessed value."

(2) by inserting in the first line of the second paragraph, between the word "the" and the letters "valu-", the word "appraised".

(c) This Section shall apply only to the Town of Chapel Hill.

**Sec. 4.** All laws and clauses of laws in conflict with this Act are hereby repealed.

**Sec. 5.** This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 30th day of June, 1969.