

NORTH CAROLINA GENERAL ASSEMBLY
1977 SESSION

CHAPTER 330
HOUSE BILL 428

AN ACT TO AMEND CHAPTER 473 OF THE SESSION LAWS OF 1975
RELATING TO THE CHARTER OF THE TOWN OF CHAPEL HILL.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the Town of Chapel Hill, as the same appears in Chapter 473, Session Laws of 1975, is hereby amended as follows:

Amend Chapter II by adding at the end of Article I a new section to read:

"Sec. 4.4. Town clerk. In addition to the powers and duties authorized by general law, the town clerk is authorized to administer oaths of office to the Mayor and Board of Aldermen of the Town of Chapel Hill and in all proceedings before the Board of Aldermen."

Amend Article 2 of Chapter V by adding a new section to read:

"Sec. 5.18. General extraterritorial jurisdiction authority. In addition to the specific areas described in this Charter, the town is authorized to exercise all of the powers granted by Article 19 of Chapter 160A of the General Statutes of North Carolina within the territorial jurisdiction as defined by G.S. 160A-360."

Amend Article 2 of Chapter V by adding a new section to read:

"Sec. 5.23. Removal of trees from public and private property. Town is authorized to adopt ordinances after holding of a public hearing thereon, to regulate removal of trees from public and private property within the town in order to preserve, protect, and enhance one of the most valuable natural resources of the community, and to protect the health, safety, and welfare of its citizens."

Amend Chapter V by adding a new Article at the end to read:

"ARTICLE 4.

"Discrimination in the Sale or Rental of Private and Public Housing.

"Sec. 5.25. Town is authorized to adopt ordinance designated to insure that all housing opportunities in the Town of Chapel Hill shall be equally available to all persons without regard to race, color, religion, sex or national origin. Such ordinances may regulate or prohibit any act, practice, activity or procedure related directly or indirectly to the sale or rental of public or private housing which affects or may tend to affect the availability or desirability of housing on an equal basis to all persons, without regard to race, color, religion, sex, or national origin. Such ordinances may provide that violations constitute a criminal offense; may subject the offender to civil penalties; may provide that the town enforce the ordinances by application to the General Court of

Justice for appropriate equitable remedies including mandatory and prohibitory injunctions and orders of abatement.

"Sec. 5.5. Special parking permits. Town is authorized to issue special parking permits, which permit the holder thereof to park a vehicle displaying such permit at a location on a public street in residential areas where the parking is otherwise prohibited. Such permit shall be issued only after the board has adopted a resolution finding and determining that there is no practical method by which said vehicle may be parked on the property of the resident."

Amend Article 1 of Chapter V by adding a new section at the end to read:

"Sec. 5.6. Bikeways. Town is authorized to develop and adopt regulations concerning the use of bicycles within the town limits and the establishment of bikeways (thoroughfares suitable for bicycles) on town streets which may exist within the right-of-way of other modes of transportation such as highways or along separate and independent corridors. Such regulations may include the establishment of traffic regulations for bicycles traveling on designated bikeways different than those established for other types of vehicular traffic including the establishment of two-way bicycle traffic lanes on existing roadways."

Amend Article 2 of Chapter VI by adding a new section to read:

"Sec. 6.12. Street improvements when petition unnecessary, assessment of costs. Notwithstanding other provisions of this Charter or of any other laws, whenever there is an unimproved portion of a continuous street between improved portions thereof, or from an improved portion of said street to an improved street or where there is an unimproved street between improved parallel streets, or where a street has been paved with curb and gutter on one side of the street, and not on the other, and a majority of the owners owning a majority of the lineal footage of property abutting the street or unimproved portion thereof, are unwilling or fail to petition for its improvements, and the board of aldermen shall find by a personal inspection by each member of the board that the public interest requires that the paving and improvement of said street is necessary by reason of heavy traffic, safety, or is necessary in the public interest, the board of aldermen may, without petition, order the making of such improvement and the assessment of the cost thereof against abutting property in the same manner as such assessment would be made upon petition, and in the event only one side of the street is to be improved, such assessment may be made against the property owners adjoining said side only. Before any order is made requiring such street improvement under the provisions of this section, the board of aldermen of the town shall give at least 10 days' written notice of such proposed action to each owner of property to be assessed of a public hearing to be held by the board of aldermen for the purpose of considering such orders at which all persons to be affected by said order shall be given the opportunity to be heard.

In ordering improvements without a petition and in assessing the costs thereof under the authority of this section, the board of aldermen shall comply with the procedure provided by Article 10, Chapter 160A of the General Statutes or any statute amending or replacing it, except those provisions relating to the petition of property owners and the sufficiency thereof. The effect of the acts of levying and confirming assessments under

authority of this section shall, for all purposes, be the same as if the assessments were levied and confirmed under authority of and pursuant to Article 10, Chapter 160A of the General Statutes or any statute amending or replacing it."

Sec. 2. The Charter of the Town of Chapel Hill, as the same appears in Chapter 473, Session Laws of 1975, is hereby amended by deleting Section 2.2 of Chapter II.

Sec. 3. This act shall become effective upon ratification.

In the General Assembly read three times and ratified, this the 9th day of May, 1977.