

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 1194
HOUSE BILL 1589

AN ACT TO ESTABLISH THE ROANOKE VOYAGES CORRIDOR COMMISSION.

The General Assembly of North Carolina enacts:

Section 1. There is hereby created the Roanoke Voyages Corridor Commission. The purposes of the Commission are to effect and encourage restoration, preservation, and enhancement of the appearance and aesthetic quality of the U.S. Highway 64 and 264 travel corridor through Roanoke Island for the benefit and enjoyment of local citizens and visitors to the historic, educational, and cultural attractions on the Island. To accomplish its purposes, the Commission has the following powers and duties:

(1) To establish reasonable standards of appropriateness and provide rules, regulations, and guidelines as follows:

a. For the location, color, size, illumination, and other appearance features of billboards, outdoor advertising structures and displays which are located within 660 feet of the right-of-way of the highway and off of the premises of the business advertised by such billboard or outdoor advertising structure and display;

b. For the landscaping of the highway right-of-way and mowing or other maintenance within landscaped areas of the right-of-way of the highway;

c. For the aboveground and underground location and installation of wires and cables, including poles, conduit and other supporting structures therefor, used for the transmission of electric power or telephonic and other electronic communication which are placed or are to be placed on the right-of-way of the highway or within 50 feet of the right-of-way of the highway;

d. For the cutting of trees and other plantings on the right-of-way and in an area within 50 feet adjacent to the right-of-way of the highway in connection with adjacent development for commercial purposes.

(2) To enter into contracts and agreements with Dare County, the Town of Manteo, and other governmental subdivisions, including boards, agencies, and departments of Dare County, the Town of Manteo, and other such governmental subdivisions, for the purpose of administering, enforcing or otherwise carrying out the powers and duties of the Commission.

(3) To acquire, hold, maintain, and dispose of title to or other interests in real and personal property.

(4) To cooperate with the Secretary and Department of Cultural Resources, the Secretary and Department of Transportation, and other governmental agencies, officials, and entities and to provide them with assistance and advice.

(5) To solicit and accept gifts, grants, and other assistance for the furtherance of its purposes and the exercise of its powers.

(6) To conduct programs and other appropriate activities when necessary.

(7) To adopt and enforce such bylaws, rules, regulations and guidelines that the Commission deems to be reasonably necessary in order to carry out its powers and duties.

Sec. 2. The Roanoke Voyages Corridor Commission shall consist of 20 voting members: 13 appointed by the Governor (four of whom shall be residents of Dare County), one appointed by the Secretary of Transportation plus, ex officio, the Chairman of the Board of Commissioners of Dare County, the Mayor of the Town of Manteo, the Chairman of the Dare County Planning Board, the Chairman of the Town of Manteo Planning Board, the President of the Dare County Garden Club Council and the President of the Roanoke Island Historic Association. Ex officio members may designate a person to serve as a member of the Commission in his or her stead. The initial appointments by the Governor shall be for staggered terms: four shall be for two-year terms, five shall be for four-year terms, and five shall be for six-year terms. Thereafter all appointments by the Governor shall be for six-year terms. The Governor shall choose a Chairman from among the members of the Commission, who shall not serve more than two successive two-year terms as Chairman. Members of the Commission shall serve without pay and without expense allowance from State funds. A majority of the Commission shall constitute a quorum for purposes of forming its organization but thereafter may provide its requirements for a quorum in its bylaws.

Sec. 3. The Roanoke Voyages Corridor Commission is hereby declared not to be a State agency within the meaning of the Executive Organization Act of 1973 and shall be exempt from all provisions of the Executive Organization Act of 1973.

Sec. 4. The Roanoke Voyages Corridor Commission shall submit an annual report of its activities, holdings, and finances, including an audit of its accounts by a certified public accountant, to the Secretary of Cultural Resources. In the event such annual report is not received by the Secretary, or if such report does not indicate the need for the continuation of the Commission, the Secretary of Cultural Resources is authorized to recommend to the next General Assembly the abolition of the Commission.

Sec. 5. No person, firm, or corporation shall erect or maintain any outdoor advertising structure, display or billboard which is located within 660 feet of the right-of-way of the highway and off the premises of the business which it advertises until a permit for the erection of such structure, display or billboard has been obtained from the Commission. Application for such permit shall be in writing, signed by the applicant or his authorized agent, upon such form and requiring such information as the Commission prescribes. No local government or State agency shall issue a permit for any outdoor advertising structure, display or billboard subject to the provisions of this section until the Commission has issued its permit therefor.

This section shall not become effective until the Commission adopts standards and rules, regulations and guidelines for its implementation.

Sec. 6. No person, firm, or corporation shall construct a commercial driveway upon the right-of-way of the highway, or develop any property for commercial purposes within 50 feet of the right-of-way of the highway until a certificate of appropriateness for such construction or development has been obtained from the Commission. Application for such certificate shall be in writing, signed by the applicant or his authorized agent, in such form and requiring such information as the Commissioner prescribes. No local governmental body or State agency shall issue any permit for construction or development covered by this section until such certificate of appropriateness has been issued by the Commission.

This section shall not become effective until the Commission adopts standards and rules, regulations and guidelines for its implementation.

Sec. 7. The word "highway" as used in this act means U.S. Highway 64 and 264 on Roanoke Island between the William B. Umstead Memorial Bridge over Croatan Sound and the Washington Baum Bridge over Roanoke Sound.

Sec. 7.1. The Town of Manteo and the County of Dare, within their respective zoning jurisdictions, may confer upon the Commission the power to enforce their zoning ordinances within 50 feet of the right-of-way of the highway.

Sec. 8. This act is effective upon ratification except as otherwise provided herein.

In the General Assembly read three times and ratified, this the 17th day of June, 1982.