

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 705
HOUSE BILL 978

AN ACT TO PROVIDE THAT ACTIONS TO CONTEST THE VALIDITY OF A COUNTY ZONING ORDINANCE MUST BE BROUGHT WITHIN NINE MONTHS OF ADOPTION OF THE ORDINANCE.

The General Assembly of North Carolina enacts:

Section 1. Chapter 1 of the General Statutes is amended by inserting therein a new section as follows:

"§1-54.1. **Nine months.** — Within nine months an action contesting the validity of any zoning ordinance or amendment thereto adopted by a county under Part 3 of Article 18 of Chapter 153A of the General Statutes or other applicable law."

Sec. 2. Chapter 153A of the General Statutes is amended by inserting therein a new section as follows:

"§ 153A-348. **Statute of limitations.** — A cause of action as to the validity of any zoning ordinance, or amendment thereto, adopted under this Part or other applicable law shall accrue upon adoption of the ordinance, or amendment thereto, and shall be brought within nine months as provided in G.S. 1-54.1."

Sec. 3. This act shall not affect pending litigation.

Sec. 4. A cause of action as to the validity of any zoning ordinance, or amendment thereto, adopted under Article 18, Part 1 of G.S. Chapter 153A or other applicable law, enacted prior to the effective date of this act shall be brought within nine months of the effective date of this act.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 26th day of June, 1981.