

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 442
HOUSE BILL 887

AN ACT TO PROVIDE A STATUTE OF LIMITATIONS FOR SPECIAL OR
CONDITIONAL USE PERMIT PROCEEDINGS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-381 is amended by adding the following language at the end:

"Any petition for review by the superior court shall be filed with the clerk of superior court within 30 days after the decision of the city council is filed in such office as the ordinance specifies, or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the clerk at the time of the hearing of the case, whichever is later. The decision of the city council may be delivered to the aggrieved party either by personal service or by registered mail or certified mail return receipt requested."

Sec. 2. G.S. 153A-340 is amended by adding the following language at the end:

"Any petition for review by the superior court shall be filed with the clerk of superior court within 30 days after the decision of the board of commissioners is filed in such office as the ordinance specifies, or after a written copy thereof is delivered to every aggrieved party who has filed a written request for such copy with the clerk at the time of the hearing of the case, whichever is later. The decision of the board of commissioners may be delivered to the aggrieved party either by personal service or by registered mail or certified mail return receipt requested."

Sec. 3. This act is effective upon ratification, but does not affect pending litigation.

In the General Assembly read three times and ratified, this the 21st day of June, 1985.