

GENERAL ASSEMBLY OF NORTH CAROLINA
1987 SESSION

CHAPTER 426
HOUSE BILL 644

AN ACT TO REDUCE THE NUMBER OF PUBLICATIONS REQUIRED FOR
LOCAL STREET CLOSING HEARINGS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-299(a) reads as rewritten:

"(a) When a city proposes to permanently close any street or public alley, the council shall first adopt a resolution declaring its intent to close the street or alley and calling a public hearing on the question. The resolution shall be published once a week for ~~four successive weeks prior to the hearing~~, two successive calendar weeks in a newspaper having general circulation in the city. The resolution shall be published the first time not less than 10 nor more than 25 days before the date fixed for the hearing. In computing such period, the date of publication is not to be included, but the day of the hearing shall be included. In addition, a copy ~~thereof~~ of the resolution shall be sent by registered or certified mail to all owners of property adjoining the street or alley as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley. If the street or alley is under the authority and control of the Department of Transportation, a copy of the resolution shall be mailed to the Department of Transportation. At the hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of any individual. If it appears to the satisfaction of the council after the hearing that closing the street or alley is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the council may adopt an order closing the street or alley. A certified copy of the order (or judgment of the court) shall be filed in the office of the register of deeds of the county in which the street, or any portion thereof, is located."

Sec. 2. This act applies to the Cities of Charlotte and Statesville only.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 19th day of June, 1987.