

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 621
HOUSE BILL 1384

AN ACT TO LIMIT THE HEIGHT OF STRUCTURES IN THE TOWN OF
CALABASH AND TO ALLOW EXCEPTIONS TO THE HEIGHT LIMIT UPON
APPROVAL BY REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. No building erected within the corporate limits of the Town of Calabash may have a height in excess of 35 feet above ground level unless:

- (1) The building was erected before the effective date of this act; or
- (2) Subject to the approval of the qualified voters of the Town of Calabash, the Town Council adopts an ordinance granting an exception to the height limit.

Sec. 2. The Town Council may direct the Brunswick County Board of Elections to conduct a referendum on the question of whether an exception to the height limitation imposed by this act should be granted. The election shall be held on a date jointly agreed upon by the two boards and shall be held in accordance with the procedures of G.S. 163-287. The form of the question to be presented on the ballot for special election concerning an exception to the height limit shall be:

"[] FOR [] AGAINST

Adoption of the ordinance to grant an exception to the height limit of 35 feet above ground level for buildings in the Town of Calabash, as follows: (describe the effect of the ordinance)."

If a majority of those voting in the referendum held pursuant to this act vote in favor of the adoption of the ordinance, the ordinance shall be effective pursuant to its terms.

Sec. 3. The height limitation created by Section 1 of this act does not apply to spires, belfries, cupolas, antennas, water tanks, ventilators, chimneys, or other appurtenances usually required to be placed above the roof level and not intended for human occupancy.

Sec. 4. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 21st day of June, 1996.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives