

§ 122C-403. Secretary's authority over Camp Butner reservation.

The Secretary shall administer the Camp Butner reservation except (i) those areas within the municipal boundaries of the Town of Butner and (ii) that portion of the Town of Butner's extraterritorial jurisdiction consisting of lands not owned by the State of North Carolina. In performing this duty, the Secretary has the powers listed below. In exercising these powers the Secretary has the same authority and is subject to the same restrictions that the governing body of a city would have and would be subject to if the reservation was a city, unless this section provides to the contrary. The Secretary may do the following:

- (1) Regulate airports on the reservation in accordance with the powers granted in Article 4 of Chapter 63 of the General Statutes.
- (2) Take actions in accordance with the general police power granted in Article 8 of Chapter 160A of the General Statutes.
- (3) Regulate the development of the reservation in accordance with the powers granted in Articles 7, 8, 11, and 12 and Parts 4 and 5 of Article 9 of Chapter 160D of the General Statutes. The Secretary shall not, however, grant a special use permit under Article 7 of that Chapter. In addition, the Secretary is not required to notify landowners of zoning classification actions under G.S. 160D-601, but the Secretary shall give the mayor of the Town of Butner at least 14 days' advance written notice of any proposed zoning change. The Secretary may establish a board to act like a Board of Adjustment to make recommendations to the Secretary concerning implementation of plans for the development of the reservation. When acting as a Board of Adjustment, the board is subject to subsections (c) and (d) of G.S. 160D-705 and subsections (f) and (g) of G.S. 160D-406.
- (4) Establish one or more planning agencies in accordance with the power granted in G.S. 160D-301.
- (5) Regulate streets, traffic, and parking on the reservation in accordance with the powers granted in Article 15 of Chapter 160A of the General Statutes.
- (6) Control erosion and sedimentation on the reservation in accordance with the powers granted in G.S. 160D-922 and Article 4 of Chapter 113A of the General Statutes.
- (7) Contract with and undertake agreements with units of local government in accordance with the powers granted in G.S. 160D-402 and Part 1 of Article 20 of Chapter 160A of the General Statutes.
- (8) Regulate floodways on the reservation in accordance with the powers granted in G.S. 160D-923 and Part 6 of Article 21 of Chapter 143 of the General Statutes.
- (8a) Repealed by Session Laws 2007-269, s. 4. For effective date, see editor's note.
- (9) Assign duties given by the statutes listed in the preceding subdivisions to a local official to the Secretary's designee.
- (9a) Repealed by Session Laws 2007-269, s. 4. For effective date, see editor's note.
- (10) Adopt rules to carry out the purposes of this Article. (1949, c. 71, s. 3; 1955, c. 887, s. 1; 1959, c. 1028, s. 4; 1963, c. 1166, s. 10; 1965, c. 933; 1973, c. 476, s. 133; 1985, c. 589, s. 2; 1987, c. 536, s. 2; 1995 (Reg. Sess., 1996), c. 667, s. 3; 1997-59, s. 5; 1997-443, s. 11A.118(a); 1999-140, s. 4; 2007-269, s. 4; 2015-160, s. 3; 2022-62, s. 15.)