

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 1433

Short Title: Wake Cty Historic Preservation Comm. (Local)

Sponsors: Representatives Ross; Adams, B. Allen, Eddins, Miner, Munford, Stam,
and Weiss.

Referred to: Local Government I.

May 13, 2004

A BILL TO BE ENTITLED

1 AN ACT PROVIDING THAT MEMBERS OF THE WAKE COUNTY HISTORIC
2 PRESERVATION COMMISSION MAY RESIDE WITHIN THE CORPORATE
3 BOUNDARIES OR EXTRATERRITORIAL JURISDICTION OF A
4 MUNICIPALITY WITHIN THE COUNTY.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 160A-400.7 reads as rewritten:

8 **"§ 160A-400.7. Historic Preservation Commission.**

9 Before it may designate one or more landmarks or historic districts, a municipality
10 shall establish or designate a historic preservation commission. The municipal
11 governing board shall determine the number of the members of the commission, which
12 shall be at least three, and the length of their terms, which shall be no greater than four
13 years. A majority of the members of such a commission shall have demonstrated special
14 interest, experience, or education in history, architecture, archaeology, or related fields.
15 All the members shall reside within the county, and any member may reside within the
16 corporate boundaries of a municipality within the county, including the territorial
17 jurisdiction of the municipality as established pursuant to G.S. 160A-360. The
18 commission may appoint advisory bodies and committees as appropriate.

19 In lieu of establishing a historic preservation commission, a municipality may
20 designate as its historic preservation commission, (i) a separate historic districts
21 commission or a separate historic landmarks commission established pursuant to this
22 Part to deal only with historic districts or landmarks respectively, (ii) a planning agency
23 established pursuant to this Article, or (iii) a community appearance commission
24 established pursuant to Part 7 of this Article. In order for a commission or board other
25 than the preservation commission to be designated, at least three of its members shall
26 have demonstrated special interest, experience, or education in history, architecture, or
27 related fields. At the discretion of the municipality the ordinance may also provide that

1 the preservation commission may exercise within a historic district any or all of the
2 powers of a planning agency or a community appearance commission.

3 A county and one or more cities in the county may establish or designate a joint
4 preservation commission. If a joint commission is established or designated, the county
5 and cities involved shall determine the residence requirements of members of the joint
6 preservation commission."

7 **SECTION 2.** This act applies to Wake County only.

8 **SECTION 3.** This act is effective when it becomes law, and all
9 appointments made prior to this act by the Wake County Board of Commissioners to the
10 Wake County Historic Preservation Commission are hereby ratified.