

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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SENATE DRS15225-LB-337 (5/13)

Short Title: Durham Protest Petition.

(Local)

Sponsors: Senator Hunt.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO CLARIFY THE AUTHORITY OF THE CITY OF DURHAM TO
ADOPT ORDINANCES AND GUIDELINES CONCERNING PROTEST
PETITIONS.

The General Assembly of North Carolina enacts:

SECTION 1. Section 94.5 of the Charter of the City of Durham, being Chapter 671 of the 1975 Session Laws, as amended, is further amended by placing the letter (a) before the existing paragraph and adding a new subsection to read:

"(b) In addition to the authority given in G.S. 160A-386 to adopt ordinances regarding the submission of protest petitions, the City may adopt ordinances and guidelines to implement the provisions of G.S. 160A-385. Those ordinances and guidelines may define the manner of calculating the number and configuration of the sides of the tract(s) under consideration for rezoning, the method of calculating the area eligible to protest under the 100-foot standard provided in G.S. 160A-385, and the manner and procedures by which signers must execute a protest petition and withdraw their signatures on a protest petition. In addition, the City may adopt ordinances and guidelines to allow proposed development plan rezoning to be treated in the same manner as proposed rezoning to special use or conditional use districts under G.S. 160A-385, and to exclude from consideration as "opposite" lots those lots that are separated from the tract(s) proposed for rezoning by designated State or federal multilane limited access highways."

SECTION 2. This act is effective when it becomes law.