

NORTH CAROLINA GENERAL ASSEMBLY
1979 SESSION

CHAPTER 282
HOUSE BILL 685

AN ACT TO AUTHORIZE THE BOARD OF COMMISSIONERS OF GUILFORD
COUNTY TO DELEGATE TO THE GUILFORD COUNTY PLANNING BOARD
THE AUTHORITY TO CLOSE PUBLIC ROADS OR EASEMENTS.

The General Assembly of North Carolina enacts:

Section 1. The Board of Commissioners of Guilford County is hereby authorized and empowered to delegate to the Guilford County Planning Board the authority to close public roads or easements which power the county commissioners now have pursuant to G.S. 153A-241. Delegation pursuant to this section shall be by a resolution adopted at a regularly scheduled meeting of the board of county commissioners.

Sec. 2. The procedure for closing public roads or easements found in G.S. 153A-241 shall remain the same with the exceptions as noted in this act.

Sec. 3. For purposes of this act references found in G.S. 153A-241 to the board of commissioners shall refer to the planning board except for purposes of appeal.

Sec. 4. Any person aggrieved by the closing of a public road or an easement by the Guilford County Planning Board may appeal the planning board's decision to the Guilford County Board of Commissioners within 30 days after the decision to close a road or easement. The board of commissioners shall hear the matter de novo.

Sec. 5. Any person aggrieved by the closing of a public road or easement may appeal the board of commissioners' order to the appropriate division of the General Court of Justice within 30 days after the day the order is adopted. The court shall hear the matter de novo and has jurisdiction to try the issues arising and to order the road or easement closed upon proper findings of fact by the trier of fact.

Sec. 6. This act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 3rd day of April, 1979.

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 59
HOUSE BILL 139

AN ACT TO AMEND CHAPTER 282 OF THE SESSION LAWS OF 1979
RELATING TO THE AUTHORITY OF THE BOARD OF COMMISSIONERS OF
GUILFORD COUNTY TO DELEGATE TO THE GUILFORD COUNTY
PLANNING BOARD THE AUTHORITY TO CLOSE PUBLIC ROADS OR
EASEMENTS.

The General Assembly of North Carolina enacts:

Section 1. Section 3 of Chapter 282 of the 1979 Session Laws is amended by adding a new sentence at the end of the section, said section to read as follows:

"Sec. 3. For purposes of this act, references found in G.S. 153A-241 to the board of commissioners shall refer to the planning board except for purposes of appeal. References found in G.S. 153A-241 to the publishing of a resolution declaring its intent to close the public road or easement by advertising once a week for four successive weeks before the public hearing thereon shall be changed to provide that the resolution of intent need only be published once a week for two successive weeks."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 27th day of February, 1981.