

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-166
HOUSE BILL 881

AN ACT TO AMEND THE DURHAM CITY CHARTER TO PERMIT THE APPOINTMENT OF A BOARD OF ADJUSTMENT WITH MORE THAN FIVE MEMBERS.

The General Assembly of North Carolina enacts:

Section 1. Section 93 of the Charter of the City of Durham, being Chapter 671 of the 1975 Session Laws, is rewritten to read:

"Sec. 93. Board of adjustment.

- (1) The city council is authorized to provide for the appointment and compensation of a board of adjustment consisting of five or more members (exclusive of additional members appointed to represent residents of the extraterritorial area pursuant to G.S. 160A-362) each to be appointed for three years.
- (2) The concurring vote of three-fifths of the members of the board shall be necessary to reverse any order, requirement, decision, or determination of any administrative official charged with the enforcement of the city zoning ordinance, or to decide in favor of the applicant any matter upon which it is required to pass under the city zoning ordinance, or to grant a variance from the provisions of the city zoning ordinance."

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

In the General Assembly read three times and ratified this the 9th day of June, 1997.

s/ Dennis A. Wicker
President of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives