GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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SENATE BILL 173

Short Title:	Wilmington ETJ Authority Restored.	(Local)
Sponsors:	Senator Boseman.	
Referred to:	State and Local Government.	

February 17, 2009

A BILL TO BE ENTITLED

AN ACT TO ALLOW THE CITY OF WILMINGTON TO EXERCISE EXTRATERRITORIAL PLANNING AND ZONING WITHIN NEW HANOVER COUNTY.

The General Assembly of North Carolina enacts:

SECTION 1. Section 23.2 of the Charter of the City of Wilmington, being Chapter 495 of the Session laws of 1977 reads as rewritten:

"Sec. 23.2. Extraterritorial planning authority. The City Council of the City of Wilmington is hereby authorized to exercise any planning, zoning, subdivision, building, or other regulatory power which may now or hereafter be conferred upon the City of Wilmington and vested in the city council by this charter, the General Statutes of North Carolina, or any other law applicable to the City of Wilmington not only within the corporate limits of the city but also within the territory beyond the corporate limits as now or hereafter fixed in accordance with the General Statutes. <u>In exercising such powers in accordance with G.S. 160A-360 within the territory beyond the corporate limits of the city but within New Hanover County, the approval of the Board of Commissioners of New Hanover County is not required.</u> Such powers may be exercised to the same extent and according to the same procedures as are applicable to the exercise of planning, zoning, subdivision, or building regulation powers within the corporate limits of the city."

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