

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 859
HOUSE BILL 2228

AN ACT TO REDUCE THE NUMBER OF APPEALS BOARD VOTES REQUIRED
TO REVERSE OR MODIFY AN ORDER OF THE CITY OF CHARLOTTE
HOUSING CODE OFFICIAL.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-446(d) reads as rewritten:

"(d) The appeals board shall fix a reasonable time for hearing appeals, shall give due notice to the parties, and shall render its decision within a reasonable time. Any party may appear in person or by agent or attorney. The board may reverse or affirm, wholly or partly, or may modify the decision or order appealed from, and may make any decision and order that in its opinion ought to be made in the matter, and to that end it shall have all the powers of the public officer, but the concurring vote of ~~four~~three members of the board shall be necessary to reverse or modify any decision or order of the public officer. The board shall have power also in passing upon appeals, when practical difficulties or unnecessary hardships would result from carrying out the strict letter of the ordinance, to adapt the application of the ordinance to the necessities of the case to the end that the spirit of the ordinance shall be observed, public safety and welfare secured, and substantial justice done."

Sec. 2. This act applies only to the City of Charlotte.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 6th day of July,
1990.