

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

H

1

HOUSE BILL 1009

Short Title: Eminent Domain-Just Compensation.

(Public)

Sponsors: Representatives Sam Hunt; Brubaker, Decker, DeVane, Hardaway, Justus, Miller, Robinson, and Wicker.

Referred to: Judiciary III.

April 19, 1991

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE JUST COMPENSATION PROCEDURES.
3 The General Assembly of North Carolina enacts:

4 Section 1. Chapter 40A of the General Statutes is amended by adding a new
5 section to read:

6 "**§ 40A-70. Just compensation for landowners and others.**

7 Any municipality, county government, or other political subdivision of this State
8 which makes a previously conforming use of property nonconforming must either allow
9 the existing use to continue or compensate the owner of the interest for the termination
10 of such right. The phasing out of nonconforming uses through amortization is expressly
11 prohibited."

12 Sec. 2. This act is effective upon ratification and applies to all uses of
13 property which have not been eliminated on the ratification date.