

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

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HOUSE BILL 512

Short Title: Nags Head Historic Preservation Commission.

(Local)

Sponsors: Representative Culpepper.

Referred to: Local Government I.

March 17, 2003

A BILL TO BE ENTITLED

1 AN ACT TO ALLOW NONRESIDENT PROPERTY OWNERS TO SERVE ON THE
2 HISTORIC PRESERVATION COMMISSION IN THE TOWN OF NAGS HEAD.

3 The General Assembly of North Carolina enacts:

4 **SECTION 1.** G.S. 160A-400.7 reads as rewritten:

5 **"§ 160A-400.7. Historic Preservation Commission.**

6 Before it may designate one or more landmarks or historic districts, a municipality
7 shall establish or designate a historic preservation commission. The municipal
8 governing board shall determine the number of the members of the commission, which
9 shall be at least three, and the length of their terms, which shall be no greater than four
10 years. A majority of the members of such a commission shall have demonstrated special
11 interest, experience, or education in history, architecture, archaeology, or related fields.
12 All the members shall reside or own real property within the territorial jurisdiction of
13 the municipality as established pursuant to G.S. 160A-360. The commission may
14 appoint advisory bodies and committees as appropriate.
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16 In lieu of establishing a historic preservation commission, a municipality may
17 designate as its historic preservation commission, (i) a separate historic districts
18 commission or a separate historic landmarks commission established pursuant to this
19 Part to deal only with historic districts or landmarks respectively, (ii) a planning agency
20 established pursuant to this Article, or (iii) a community appearance commission
21 established pursuant to Part 7 of this Article. In order for a commission or board other
22 than the preservation commission to be designated, at least three of its members shall
23 have demonstrated special interest, experience, or education in history, architecture, or
24 related fields. At the discretion of the municipality the ordinance may also provide that
25 the preservation commission may exercise within a historic district any or all of the
26 powers of a planning agency or a community appearance commission.

27 A county and one or more cities in the county may establish or designate a joint
28 preservation commission. If a joint commission is established or designated, the county

1 and cities involved shall determine the residence requirements of members of the joint
2 preservation commission."

3 **SECTION 2.** This act applies to the Town of Nags Head only.

4 **SECTION 3.** This act is effective when it becomes law.