

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2009

H

1

HOUSE BILL 2049

Short Title: Oak Island/Building Height Standards. (Local)

Sponsors: Representatives Iler, Hill (Primary Sponsors); and Hughes.

Referred to: Local Government I, if favorable, Judiciary III.

May 27, 2010

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT BUILDING HEIGHT STANDARDS IN THE TOWN OF OAK ISLAND MAY ONLY BE INCREASED OR CLARIFIED WITH THE APPROVAL OF A MAJORITY OF THE QUALIFIED VOTERS IN THE CORPORATE LIMITS OF THE TOWN SOUTH OF THE ATLANTIC INTRACOASTAL WATERWAY AND A MAJORITY OF THE QUALIFIED VOTERS IN THE REMAINDER OF THE TOWN'S CORPORATE LIMITS.

The General Assembly of North Carolina enacts:

**SECTION 1.** S.L. 2006-60 reads as rewritten:

**"SECTION 1.** The building height standards in the Town of Oak Island shall be set at 35 feet except inside flood zones designated by the National Flood Insurance Program as Velocity Zones where maximum building height may be up to 41 feet. The provisions of this section apply only to the corporate limits of the Town of Oak Island located south of the Atlantic Intracoastal Waterway.

**"SECTION 2.(a)** The height limitation contained in Section 1 of this act may be increased within the town in a referendum of an ordinance to increase or clarify the limit with the approval by the qualified voters of the town in a referendum of an ordinance to increase or clarify the limit. of both of the following: (i) a majority of the qualified voters in the area described in Section 1 of this act; and (ii) the approval of a majority of the qualified voters in the Town who are not in the area described in Section 1 of this act. The referendum may be called only by the governing body of the town.

**"SECTION 2.(b)** A proposition to approve an ordinance under this section shall be printed on the ballot in substantially the following form:

"Shall the ordinance (describe the effect of the ordinance) be approved?

[ ] Yes [ ] No."

**"SECTION 3.** This act supersedes and consolidates all prior local acts relating to height and local referenda for the former towns of Yaupon Beach and Long Beach.

**"SECTION 4.** This act does not apply to corporate limits of the Town of Oak Island located north of the Atlantic Intracoastal Waterway where building height limits are established in accordance with general law rather than this act.

**"SECTION 5.** This act is effective when it becomes law."

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

