

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023**

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HOUSE BILL 1064

Short Title: City of Southport/Remove ETJ Authority. (Local)

Sponsors: Representative Miller.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Local Government, if favorable, Rules, Calendar, and Operations of the House

May 8, 2024

1 A BILL TO BE ENTITLED
2 AN ACT TO PROHIBIT THE CITY OF SOUTHPORT FROM EXERCISING PLANNING
3 AND DEVELOPMENT REGULATION BEYOND ITS CONTIGUOUS CORPORATE
4 LIMITS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.(a)** Notwithstanding the provisions of G.S. 160D-202(a), the City of
7 Southport shall not exercise any of the powers granted to cities under Chapter 160D of the
8 General Statutes or its predecessor, Article 19 of Chapter 160A of the General Statutes, beyond
9 its contiguous corporate limits.

10 **SECTION 1.(b)** The relinquishment of jurisdiction over an area that the City of
11 Southport is regulating under the authority of Chapter 160D of the General Statutes or its
12 predecessor, Article 19 of Chapter 160A of the General Statutes, shall become effective July 1,
13 2024.

14 **SECTION 1.(c)** Upon relinquishment of jurisdiction over an area that the City of
15 Southport is regulating under the authority of Chapter 160D of the General Statutes or its
16 predecessor, Article 19 of Chapter 160A of the General Statutes, the following shall apply:

- 17 (1) The City's regulations and powers of enforcement shall remain in effect until
18 (i) Brunswick County has adopted the regulation or (ii) a period of 60 days
19 has elapsed following July 1, 2024, the date the relinquishment becomes
20 effective, whichever is sooner. Prior to the transfer of jurisdiction, Brunswick
21 County may hold hearings and take other measures consistent with
22 G.S. 160D-204 that may be required in order to adopt and apply its
23 development regulations for the area at the same time it assumes jurisdiction.
24 (2) Any person who has acquired vested rights in the City of Southport may
25 exercise those rights as if no change of jurisdiction had occurred. Brunswick
26 County, in acquiring jurisdiction over the area, may take any action regarding
27 the development approval, certificate, or other evidence of compliance that
28 could have been taken by the City of Southport pursuant to its development
29 regulations. Except as provided in this subdivision, any building, structure, or
30 other land use in an area over which Brunswick County has acquired
31 jurisdiction is subject to the development regulations of Brunswick County.

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

