

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 489
HOUSE BILL 628

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CHAPEL HILL SO AS
TO AUTHORIZE LOCAL IMPROVEMENTS AND ASSESSMENT WITHOUT
PETITION.

The General Assembly of North Carolina do enact:

Section 1. The Charter of The Town of Chapel Hill, Orange County, North Carolina, as the same appears in Chapter 87, Session Laws 1961, as amended, is hereby amended by adding a new Section, following Section 6.01 to read as follows:

"Section 6.02. Sidewalk improvements; when petition unnecessary; assessment cost. Notwithstanding the other provisions of this Charter or of any other laws, whenever the Board of Aldermen shall find by a personal inspection by each member of the Board that the public interest requires that a paved sidewalk is necessary by reason of heavy pedestrian traffic, or pedestrian safety, it may without petition order the making of such sidewalk improvement on one or both sides of such street, and assess the cost thereof against the abutting property in the same manner as such assessment would be made upon petition. Whenever such improvement is made by authority of this Section on only one side of a street, assessment may, if in the opinion of the governing body, the abutting property on both sides of said street will be benefited by said improvement, be made against said abutting properties on each side of said street in the same manner as such assessment would be made if the improvement had been made on both sides. Before any order is made requiring such sidewalk improvement under the provisions of this Section, the Board of Aldermen of The Town of Chapel Hill shall give at least ten (10) days written notice of such proposed action to each owner of property to be assessed at a public hearing to be held by the Board of Aldermen for the purpose of considering such order at which all persons to be effected by said order shall be given the opportunity to be heard.

In ordering sidewalk improvements without a petition and in assessing the cost thereof under authority of this Section, the Board of Aldermen shall comply with the procedure provided by Article 9, Chapter 160, of the General Statutes, except those provisions relating to the petition of property owners and the sufficiency thereof. The effect of the acts of levying and confirming assessments under authority of this Section shall for all purposes be the same as if the assessments were levied and confirmed under authority of and pursuant to Article 9, Chapter 160, of the General Statutes."

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall be in full force and effect from and after its ratification.

In the General Assembly read three times and ratified, this the 14th day of May 1969.