

NORTH CAROLINA GENERAL ASSEMBLY
1969 SESSION

CHAPTER 577
HOUSE BILL 508

1 AN ACT TO IDENTIFY AND PROTECT HISTORICALLY OR ARCHITECTURALLY
2 SIGNIFICANT NORTH CAROLINA BUILDINGS.

3
4 The General Assembly of North Carolina do enact:

5 **Section 1.** Chapter 121 of the General Statutes of North Carolina is amended by
6 inserting immediately after the present Section 121-7 and immediately before Section 121-8, a
7 new section to be designated as Section 121-7.1, and reading as follows:

8 "**Sec. 121-7.1. Designation of privately owned buildings as worthy of preservation.** (a) In
9 order to identify and designate privately owned buildings worthy of preservation, and in order
10 to provide protection to the people of the State from the danger of loss or damage to significant
11 privately owned buildings consistent with the rights of the owners thereof, the Department of
12 Archives and History is authorized to establish a registry of historically or architecturally
13 significant structures which have been determined by the Historic Sites Advisory Committee to
14 possess such significant historic or architectural value as to deserve preservation. Said registry
15 shall be known as the "State Register of Historically Significant Buildings." The individual
16 structure will be known as a "Registered Building."

17 (b) The Department is further authorized to enter into a voluntary agreement with
18 owners of Registered Buildings under the terms of which the Department of Archives and
19 History shall permanently attach a seal to the buildings sought to be preserved, which seal shall
20 incorporate the seal of the Department adopted in accordance with G.S. 121-2(1) and the
21 following legend:

22 "This structure is registered as an historically or architecturally
23 significant building. It may not be altered, moved, or destroyed under
24 penalty of law until sixty days after written notice is received at the North
25 Carolina Department of Archives and History."

26 In the event the owner agrees as aforesaid to the placing of the seal on the building, he shall
27 enter into an agreement, satisfactory in form to the Attorney General, encumbering the realty
28 upon which the registered building is situate in the form of a covenant running with the land,
29 the substance of which covenant shall be that the building may not be altered, moved, or
30 destroyed until after sixty days written notice of intent is received at the North Carolina
31 Department of Archives and History, but that after the expiration of said sixty days, the
32 encumbrance shall become void and the owner of the registered building or his successors shall
33 be remitted to such estate as he or his predecessor in title had prior to entering into the
34 covenant. Such encumbrance shall be recorded as provided by law.

35 At any time prior to the expiration of sixty days after receipt of notice of intent to alter,
36 move, or destroy a registered building the Director of the Department of Archives and History
37 shall be empowered to bring an action to enjoin any substantial structural alteration, move, or
38 destruction of a registered building or any threat thereof until sixty days after receipt of the
39 aforesaid notice, and at the end of said sixty day period, the injunction shall be dissolved upon
40 motion of the party enjoined.

41 Any person who shall intentionally alter, move, destroy, or otherwise damage a registered
42 building upon which the above described seal is displayed without prior written approval of the
43 Department of Archives and History shall be guilty of a misdemeanor.

- 1 **Sec. 2.** All laws and clauses of laws in conflict to this Act are hereby repealed.
2 **Sec. 3.** This Act shall be in full force and effect from and after its ratification.
3 In the General Assembly read three times and ratified, this the 22nd day of May,
4 1969.