

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009

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HOUSE BILL 193

Short Title: Electronic Notice of Public Hearings. (Public)

Sponsors: Representatives Stam, Howard (Primary Sponsors); E. Floyd, Hurley, Jackson, Johnson, Neumann, and Randleman.

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

February 18, 2009

1 A BILL TO BE ENTITLED
2 AN ACT TO ALLOW ALL CITIES AND COUNTIES TO GIVE ELECTRONIC NOTICE
3 OF PUBLIC HEARINGS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.(a)** Sections 1 and 2 of S.L. 2007-86, as amended by S.L. 2008-5,
6 read as rewritten:

7 "**SECTION 1.** The governing body of a city ~~or town~~ may adopt ordinances providing that
8 notice of public hearings may be ~~given~~ published through electronic means, including, but not
9 limited to, the ~~Town's~~ City's Internet ~~site.~~ site, in substitution for other published notice, except
10 if the city operates a cable access channel, notice shall also be made on that channel.
11 Publication through electronic means shall satisfy any newspaper publication requirement for a
12 public hearing provided by law and any requirement for publication of a public hearing where
13 the method of publication is not specified. Ordinances adopted pursuant to this section shall not
14 supersede any State law that requires notice by mail to certain classes of people or the posting
15 of signs on certain property and shall not alter the publication schedule for any public notice.

16 "**SECTION 2.** ~~This act applies only to the Towns of Apex, Cary, Garner, and Knightdale.~~"

17 **SECTION 1.(b)** The Revisor of Statutes shall codify Section 1 of S.L. 2007-86, as
18 rewritten by this section, as G.S. 160A-81.2, to be entitled "Electronic Notice of Public
19 Hearings."

20 **SECTION 2.** S.L. 2003-161 is repealed, but any ordinance adopted by either the
21 City of Raleigh or the Town of Lake Waccamaw under that act shall remain valid until
22 amended or repealed under G.S. 160A-81.2.

23 **SECTION 3.(a)** Sections 1 and 2 of S.L. 2003-81 read as rewritten:

24 "**SECTION 1.** A county may adopt ordinances providing that legal notice of public
25 hearings may be published through electronic means in lieu of publication in any newspaper.
26 The publication may be on the county's Internet site or by any other ~~means.~~ means, except if the
27 county operates a cable access channel, notice shall also be made on that channel. Publication
28 through electronic means shall satisfy any newspaper publication requirement for a public
29 hearing provided by law and any requirement for publication of a public hearing where the
30 method of publication is not specified. Ordinances adopted pursuant to this section shall not
31 supersede any State law that requires notice by mail to certain classes of persons or the posting
32 of signs on certain property, nor shall there be any alteration of the publication schedule
33 required by State law.

34 "**SECTION 2.** ~~This act applies to Cabarrus County only.~~"



1 **SECTION 3.(b)** The Revisor of Statutes shall codify Section 1 of S.L. 2003-81 as
2 rewritten by this section as G.S. 153A-52.2, to be entitled "Electronic Notice of Public
3 Hearings."

4 **SECTION 4.** G.S. 159-1(b)(5) reads as rewritten:

5 "(b) The words and phrases defined in this section have the meanings indicated when
6 used in this Chapter, unless the context clearly requires another meaning, or unless the word or
7 phrase is given a more restrictive meaning by definition in another Article herein.

8 ...

9 (5) "Publish," "publication," and other forms of the word "publish" mean
10 insertion in a newspaper qualified under G.S. 1-597 to publish legal
11 ~~advertisements~~advertisements, but in the case of notice of a public hearing
12 also includes publication as provided by G.S. 153A-52.2 or G.S. 160A-81.2.

13 "

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