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INST #01328
EXCISE TAX (None)

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Ordinance Book 1 Page 509-510
Alleghany County, NC
Lizabeth Reeves Roupe
Register of Deeds

ALLEGHANY COUNTY

NORTH CAROLINA

**Ordinance To Amend The Alleghany County
Property Rights Protection Ordinance – Version 6**

Section 1. Authority

The Alleghany County Board of Commissioners enacts this Ordinance pursuant to its planning and regulation of development powers, as set forth in and authorized by Article 18 of Chapter 153A of the North Carolina General Statutes.

Section 2. Purpose

The purpose of this Ordinance is to make one text amendment to the Alleghany County Property Rights Protection Ordinance by how appeals are handled in Article 11, Section 11.1 Appeals.

Section 3. Appeals

This Ordinance deletes the language of:

(a) *Notice.* An appeal from any final order or decision of the Administrator or Planning Board may be taken to the Board of Commissioners by any person aggrieved. An appeal is taken by filing a written notice of appeal with the Administrator and Planning Board which specifies the grounds for the appeal. A notice of appeal shall be considered filed when delivered to the Administrator.

(c) *Materials.* Whenever an appeal is filed, the Administrator shall transmit to the Board of Commissioners all the materials of the case.

This Ordinance adds the language of:

(a) *Notice.* An appeal from any final order or decision of the Administrator or Planning Board may be taken to the Board of Adjustment by any person aggrieved except for appeals from any quasi-judicial hearing and made pursuant to G.S. 160A-388. These appeals must be taken to superior court and follow the same time line.

(c) *Materials.* Whenever an appeal is filed, the administrator shall transmit to The Board Of Adjustment or the Clerk of Court all the materials of the case, as required by law.

Section 4. Effective Date

The effective date of this Ordinance shall be the date of its adoption by the Board of Commissioners.

Adopted this 3rd day of August, 2015.

ATTEST:

ALLEGHANY COUNTY BOARD OF
COMMISSIONERS:

(sig: Karen Evans)
Karen Evans
Clerk to the Board

(sig: Tom Smith)
Tom Smith, Chair

(sig: Karen Leys)
Karen Leys, Vice-Chair

(sig: Larry Davis)
Larry Davis, Member

(county seal)

(sig: Mark Evans)
Mark Evans, Member

(sig: Bobby Irwin)
Bobby Irwin, Member