

April 9, 2009

H 1388. BROWNFIELDS PROPERTY NOTIFICATIONS. Filed 4/9/09. *TO EXPAND THE PUBLIC NOTICE REQUIREMENT REGARDING A PROSPECTIVE DEVELOPER'S INTENT TO REDEVELOP A BROWNFIELDS PROPERTY AND TO REMOVE THE CONDITION UNDER WHICH THE REGISTER OF DEEDS IS NOT REQUIRED TO RECORD THE CANCELLATION OF THE NOTICE OF BROWNFIELDS PROPERTY AFTER THE HAZARDS HAVE BEEN ELIMINATED.*

Amends GS 130A-310.34(a) to require a prospective developer to notify every person who resides or owns property located within one-fourth mile of any property boundary of the brownfields property by mailing the summary of the notice of intent to residents and property owners at the same time the notice of intent is published in the newspaper. Amends GS 130A-310.34(c) to require the Department of Environment and Natural Resources (DENR) to mail written notice of a public hearing regarding redevelopment of brownfields property to all persons who reside or own property located within one-fourth mile of any property boundary of the brownfields property. Amends GS 130A-310.35(e) to require that the Register of Deeds record the cancellation of the notice of brownfields property after the hazards have been eliminated in some other adequate manner that provides notice, date, and the book and page number of the Secretary of Environment and Natural Resources recorded statement, if marginal entry is impracticable (was, marginal entry not required). Effective October 1, 2009, and applies to property that is subject to a brownfields agreement that is entered into on or after that date.

Intro. by Fisher.

GS 130A

May 11, 2009

H 1388. BROWNFIELDS PROPERTY NOTIFICATIONS. Filed 4/9/09. House committee substitute makes the following changes to 1st edition. Rewrites title to read, *AN ACT TO EXPAND THE PUBLIC NOTICE REQUIREMENT REGARDING A PROSPECTIVE DEVELOPER'S INTENT TO REDEVELOP A BROWNFIELDS PROPERTY*. Rewrites bill to (1) delete requirements that summary of notice of intent be filed with the Codifier of Rules and that summary be published in NC Register; (2) require that prospective developer mail or deliver the notice of intent to each owner of property contiguous to (was, within a quarter mile of any property boundary) the brownfields property and notify the Department of Environment and Natural Resources of public notice; (3) require that publication, posting, and mailing or delivery of notice begin a public comment period of at least 30 days from latest date of such notice; (4) delete amendment to GS 130A-310.35(e) relating to entries by the register of deeds regarding notices pertaining to brownfield property; and (5) make clarifying changes.

June 29, 2009

SL 2009-181 (H 1388). BROWNFIELDS PROPERTY NOTIFICATIONS. *AN ACT TO EXPAND THE PUBLIC NOTICE REQUIREMENT REGARDING A PROSPECTIVE DEVELOPER'S INTENT TO REDEVELOP A BROWNFIELDS PROPERTY.* Summarized in *Daily Bulletin* 4/9/09 and 5/11/09. Enacted June 26, 2009. Effective October 1, 2009.