

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 131

AMENDMENT NO. A1  
(to be filled in by  
Principal Clerk)

S131-ARI-7 [v.7]

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Amends Title [NO]  
Fourth Edition

Date \_\_\_\_\_, 2017

Representative Watford

1 moves to amend the bill on page 21, line 36, through page 22, line 12,  
2 by rewriting those lines to read:

3  
4 **"STATUTE OF LIMITATIONS/LAND-USE VIOLATIONS**

5 **SECTION 2.15.(a)** G.S. 1-51 is amended by adding a new subdivision to read:

6 **"§ 1-51. Five years.**

7 Within five years -

8 ...

9 (5) Against the owner of an interest in real property by a unit of local  
10 government for a violation of a land-use statute, ordinance, or permit or any  
11 other official action concerning land use carrying the effect of law. This  
12 subdivision does not limit the remedy of injunction for conditions that are  
13 actually injurious or dangerous to the public health or safety. The claim for  
14 relief accrues upon the occurrence of the earlier of any of the following:

- 15 a. The facts constituting the violation are known to the governing body,  
16 an agent, or an employee of the unit of local government.
- 17 b. The violation can be determined from the public record of the unit of  
18 local government."

19 **SECTION 2.15.(b)** G.S. 1-49 is amended by adding a new subdivision to read:

20 **"§ 1-49. Seven years.**

21 Within seven years an action -

22 ...

23 (3) Against the owner of an interest in real property by a unit of local  
24 government for a violation of a land-use statute, ordinance, or permit or any  
25 other official action concerning land use carrying the effect of law. This  
26 subdivision does not limit the remedy of injunction for conditions that are  
27 actually injurious or dangerous to the public health or safety but does  
28 prescribe an outside limitation of seven years from the earlier of the  
29 occurrence of any of the following:

- 30 a. The violation is apparent from a public right-of-way.
- 31 b. The violation is in plain view from a place to which the public is  
32 invited."



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1                   **SECTION 2.15.(c)** This section becomes effective October 1, 2018, and applies to  
2 actions commenced on or after that date."  
3  
4

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

**The official copy of this document, with signatures  
and vote information, is available in the  
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