

**PILOT MOUNTAIN  
TOWN CHARTER**



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**ARTICLE I: INCORPORATION AND  
CORPORATE POWERS**

**SECTION 1.1 INCORPORATION AND GENERAL POWERS.**

The Town of Pilot Mountain shall continue to be a body politic and corporate under the name and style of the “Town of Pilot Mountain,” shall continue to be vested with all property rights which now belong to the town; shall have perpetual succession; may have a common and after and renew the same at pleasure; may sue and be sued; may contract, may acquire hold all such property, real and personal, as may be devised, bequeathed, sold or in any manner conveyed or dedicated to it, or otherwise required by it, and may from time to time shall invest, sell, or dispose of the same; and shall have and may exercise in conformity with this charter all municipal powers, functions, rights, privileges, and immunities of every name nature.

**SECTION 1.2 EXERCISE OF POWERS.**

All powers, functions, rights, privileges, and immunities of the town, its officers, agencies or employees, shall be carried into execution as provided by this charter, or, if this charter makes no provision, as provided by ordinance or resolution of the board and as provided by the general laws of North Carolina pertaining to municipal corporations.

**SECTION 1.3 ENUMERATED POWERS NOT EXCLUSIVE.**

The enumeration of particular powers by this charter shall not be held or deemed to be exclusive but, in addition to the powers enumerated herein or implied hereby, or those appropriate to the exercise of such powers, the Town of Pilot Mountain shall have and may exercise all powers which are granted to municipal corporations by the general laws of North Carolina and all powers which, under the Constitution of North Carolina, it would be competent for this charter specifically to enumerate.

***Editor's Note:***

*This charter codification contains the basic charter laws as amended. Various acts relating to the municipality which are not specific amendments to the charter or its amendments, but which are of a general and permanent nature, are also included. Excluded from the charter codification are local acts relating to Mayor's Court, issuance and sale of bonds, levy and collection of taxes, and conduct of elections. These types of local acts have been repealed by general laws.*

*The charter materials are arranged and grouped according to the subject matter. Article headings, catch lines and bold-print catch phrases have been inserted and the sections renumbered by the codifiers to facilitate indexing and for ease of reference. Acts relating to the municipality but not amendatory of the charter or its amendments would be included in the section entitled “Related Local Laws.”*

*Severability, repealer and effective date provisions are omitted when a section has been specifically amended or repealed by a later Act, the amended or repealed section has been deleted. All material contained within brackets has been added by the codifiers to clarify or to correct the meaning of the text, or to refer the reader to a section as renumbered, within a given section.*

**ARTICLE II: CORPORATE BOUNDARIES**

**SECTION 2.1 EXISTING CORPORATE BOUNDARIES.**

See the official map of the Town on file in the Town Hall.

## **SECTION 2.2 EXTENSION OF CORPORATE BOUNDARIES.**

The board may, from time to time, define any territory adjacent to the existing corporate limits of the Town of Pilot Mountain, which in the judgment of the board should be annexed to the Town of Pilot Mountain and be included within its corporate limits. The board shall give notice of its intention to consider a resolution describing territory to be annexed to the town and shall conduct a public hearing upon such resolution. The time and place of the hearing and a description of the territory being considered for annexation shall be advertised once a week for four (4) successive weeks in some newspaper having a general circulation in Surry County.

Following such hearing and upon the adoption of a resolution defining and describing such territory, and finding that it is advisable that such territory be annexed to the Town of Pilot Mountain, the board shall furnish to the Surry County Board of Elections a certified copy of the resolution and shall request the Surry County Board of Elections to call and conduct an election to determine whether or not such territory shall be annexed to the Town of Pilot Mountain.

Upon receipt of the certified copy of the resolution, the Surry County Board of Elections shall call an election to be held not less than (60) days and not later than (90) days following the adoption of the resolution by the board and the call for said election shall:

- (a) Describe the territory proposed to be annexed to the town;
- (b) Provide that the matter of annexation of such territory shall be submitted to the vote of the qualified voters of said town as shown by its general registration books and of the territory to be annexed, voting together;
- (c) Provide for a new or special registration of voters in the territory proposed to be annexed for said election;
- (d) Designate the precincts and voting places for such election;
- (e) Name the registrars and the judges of election;
- (f) Make all other necessary provisions for the holding and conducting of said election, and the canvassing of the returns and the declaration of the results, and said call shall be published once a week for four (4) successive weeks prior to said election in some newspaper having a general circulation in Surry County.

At such election the qualified voters shall be furnished ballots on which shall be printed the words "For Extension" and "Against Extension." If at such election a majority of votes cast shall be "For Extension," then from and after the 31st day of December of the year in which the election is held the territory so voted on and its citizens and property shall be subject to all the laws, ordinances and regulations then in force or thereafter adopted in the Town of Pilot Mountain, and same shall be included within the corporate limits of the Town of Pilot Mountain and shall be a part of said town, and the territory so annexed and the citizens and property therein shall be afforded by the Town of Pilot Mountain as soon as practicable the same municipal privileges, benefits, services and facilities, without discrimination, as are afforded other comparable parts of the Town of Pilot Mountain at the time said territory is annexed.

The cost of holding such elections shall be a necessary public expense and shall be paid from the general funds of the Town of Pilot Mountain. The holding of said elections and the canvassing of the returns and all other matters pertaining to said elections, shall be as provided by law for the election of members of the Board of Commissioners of the Town of Pilot Mountain.

### ***ARTICLE III: MAYOR AND BOARD OF COMMISSIONERS***

#### **SECTION 3.1 COMPOSITION OF BOARD OF COMMISSIONERS.**

The board of commissioners shall consist of four (4) members to be elected by the qualified voters of the town voting at large in the manner provided in Article IV.

#### **SECTION 3.2 MAYOR AND MAYOR PRO TEMPORE.**

The mayor shall be elected by and from the qualified voters of the town voting at large in the manner provided in Article IV. The mayor shall be the official head of the town government and shall preside at all meetings of the board. Where there is an equal division on a question, the mayor shall determine the matter by his vote, but he shall vote in no other case. The mayor shall exercise such powers and perform such duties as are or may be conferred upon him by the general laws of North Carolina, by this charter, and by the ordinances of the town. The board shall choose one of its number to act as mayor pro tempore, and he shall perform the duties of the mayor in the mayor's absence or disability. The mayor pro tempore as such shall have no fixed term of office, but shall serve in such capacity at the pleasure of the remaining members of the board.

#### **SECTION 3.3 TERMS; QUALIFICATIONS; VACANCIES.**

(a) The Mayor shall serve for a term of four (4) years and members of the board shall serve for terms of four (4) years, beginning the day and hour of the organizational meeting following their election, as established by ordinance in accordance with this charter; provided, they shall serve until their successors are elected and qualify.

(b) No person shall be eligible to be a candidate or be elected as mayor or as a member of the board or to serve in such capacity, unless he is a resident and a qualified voter of the town.

(c) In the event a vacancy occurs in the office of mayor or commissioner, the board shall by majority vote appoint some qualified person to fill the same for the remainder of the unexpired term.

#### **SECTION 3.4 COMPENSATION OF MAYOR AND COMMISSIONERS.**

The mayor shall receive for his services such salary as the board shall determine, but no reduction in his salary shall be made to take effect during the term in which it is voted. The board may establish a salary for its members which may be increased or reduced.

**SECTION 3.5 ORGANIZATION OF BOARD; OATHS OF OFFICE.**

The board shall meet and organize for the transaction of business at a time established by ordinance, following each biennial election and prior to July 1. Before entering upon their offices, the mayor and each commissioner shall take, subscribe, and have entered upon the minutes of the board the following oath of office.

“I, \_\_\_\_\_, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution and laws of North Carolina not inconsistent therewith and that I will faithfully perform the duties of the office of \_\_\_\_\_, on which I am about to enter, according to my best skill and ability; so help me, God.”

**SECTION 3.6 MEETINGS OF COUNCIL.**

(a) The board shall fix suitable times for its regular meetings which shall be as often as once monthly. Special meetings may be held on the call of the mayor or a majority of the board, and those not joining in the call shall be notified in writing. Any business may be transacted at a special meeting that might be transacted at a regular meeting.

(b) All meetings of the board shall be open to the public. The board shall not by executive session or otherwise formally consider or vote upon any question in private session.

**SECTION 3.7 QUORUM; VOTES.**

(a) A majority of the members elected to the board shall constitute a quorum for the conduct of business, but a less number may adjourn from time to time and compel the attendance of absent members in such manner as may be prescribed by ordinance.

(b) Three (3) affirmative votes, which may include the vote of the mayor in case of equal division among the board, shall be necessary to adopt any ordinance, or any resolution or motion having the effect of an ordinance. All other matters to be voted upon shall be decided by a majority vote of those present and voting.

**SECTION 3.8 ORDINANCES AND RESOLUTIONS.**

The adoption, amendment, repeal, pleading, or proving of ordinances shall be in accordance with the applicable provisions of the general laws of North Carolina not inconsistent with this charter. The yeas and nays shall be taken upon all ordinances and resolutions and entered upon the minutes of the board. The enacting clauses of all ordinances shall be: “Be it ordained by the Board of the Town of Pilot Mountain.” All ordinances and resolutions shall take effect upon adoption unless otherwise provided therein.

***ARTICLE IV: ELECTION PROCEDURE*****SECTION 4.1 REGULATION OF ELECTIONS.**

All town elections shall be conducted in accordance with the general laws of North Carolina relating to municipal elections, except as otherwise herein provided.

***Cross-reference:***

*Election procedure, see § 31.01*

**Statutory reference:**

*For provisions concerning the Uniform Municipal Election Law, see G.S. Chapter 163*

**ARTICLE V: TOWN ATTORNEY**

**SECTION 5.1 APPOINTMENT; QUALIFICATIONS; TERM; COMPENSATION.**

The board shall appoint a town attorney who shall be an attorney at law licensed to engage in the practice of law in North Carolina and who need not be a resident of the town during his tenure. The town attorney shall serve at the pleasure of the board and shall receive such compensation as the board shall determine.

**SECTION 5.2 DUTIES OF TOWN ATTORNEY.**

It shall be the duty of the town attorney to prosecute and defend suits for and against the town; to advise the mayor, board, and other town officials with respect to the affairs of the town; to draw all legal documents relating to the affairs of the town; to draw proposed ordinances when requested to do so; to inspect and pass upon all agreements, contracts, franchises and other instruments with which the town may be concerned; to attend all meetings of the board of commissioners if requested to attend and to perform such other duties as may be required of him by virtue of his position of town attorney.

**ARTICLE VI: ADMINISTRATIVE OFFICERS AND EMPLOYEES**

**SECTION 6.1 TOWN CLERK AND TREASURER.**

The board shall appoint a town clerk and treasurer to keep a journal of the proceedings of the board and to maintain in a safe place all records and documents pertaining to the affairs of the town, and to perform such other duties as may be required by law or as the board may direct.

**SECTION 6.2 TOWN TAX COLLECTOR.**

The board may appoint a tax collector to collect all taxes, licenses, fees and other moneys belonging to the town, subject to the provisions of this charter and the ordinances of the town, and he shall diligently comply with and enforce all the general laws of North Carolina relating to the collection, sale, and foreclosure of taxes by municipalities.

**SECTION 6.3 TOWN ACCOUNTANT.**

The board may appoint a town accountant to perform the duties of the accountant as required by the Municipal Fiscal Control Act.

**SECTION 6.4 CONSOLIDATION OF FUNCTIONS.**

The board may, in its discretion, consolidate any two (2) or more of the positions of town clerk and treasurer, town tax collector, and town accountant, or may assign the functions of any one or more of these positions to the holders of any other of these positions. The board may also, in its discretion, designate a single employee to perform all or any part of the functions of any of the named offices, in lieu of appointing other persons to perform the same.

***ARTICLE VII: FINANCE AND TAXATION*****SECTION 7.1 CUSTODY OF TOWN MONEY.**

All moneys received by the town for or in connection with the business of the town government shall be paid promptly into the town depository or depositories. Such institutions shall be designated by the board of commissioners in accordance with such regulations and subject to such requirements as to security for deposits and interest thereon as may be established by the General Statutes of North Carolina. All interest on moneys belonging to the town shall accrue to the benefit of the town. All moneys belonging to the town shall be disbursed only in accordance with the provisions of the Municipal Fiscal Control Act.

**SECTION 7.2 INDEPENDENT AUDIT.**

As soon as practicable after the close of each fiscal year, an independent audit shall be made of all books and accounts of the town government by a certified public accountant registered under Chapter 93 of the General Statutes of North Carolina, who shall have no personal interest directly or indirectly in the affairs of the town or of any of its officers. The board of commissioners shall select the certified public accountant, and the results of such audit shall be made available for inspection by an interested citizen of the town, and may be published if so ordered by the board.

***ARTICLE VIII: POLICE*****SECTION 8.1 JURISDICTION EXTENDED.**

(a) The jurisdiction of the police force is hereby extended to include all unincorporated territory outside and within one mile of the corporate limits, and all members of the police force shall have within such territory all rights, power and authority as they have within the corporate limits.

(b) The jurisdiction of the police force is hereby extended to include all town owned property and facilities whether located within or outside the corporate limits, and all members of the police force shall have upon and within such property and facilities all rights, power and authority as they have within the corporate limits.

**SECTION 8.2 EFFECT OF ORDINANCES ON TOWN PROPERTY.**

All applicable ordinances of the town shall have full force and effect upon and within all property and facilities owned by the town, whether located within or outside the corporate limits.

**ARTICLE IX: SIDEWALK IMPROVEMENTS**

**SECTION 9.1 SIDEWALKS; ASSESSMENT OF COSTS.**

In addition to any authority which is now or may hereafter be granted by general law to the town for making sidewalk improvements, the board is hereby authorized to order to be made or to make sidewalk improvements or repairs without petition according to standards and specifications of the town, and to assess the total cost thereof against abutting property owners.

**SECTION 9.2 ASSESSMENT PROCEDURE.**

In ordering sidewalk improvements without a petition and assessing the cost thereof under authority of this Article, the board of commissioners shall comply with the procedure provided by Article 9 of Chapter 160 of the General Statutes, except those provisions relating to the petition of property owners and the sufficiency thereof.

**Editor's note:**

*The statute cited in this section has been repealed  
and replaced with G.S. Chapter 160A,  
Article 10*

**SECTION 9.3 EFFECT OF ASSESSMENTS.**

The effect of the act of levying assessments under authority of this Article shall for all purposes be the same as if the assessments were levied under authority of Article 9 of Chapter 160 of the General Statutes.

**Editor's note:**

*The statute cited in this section has been repealed  
and replaced with G.S. Chapter 160A,  
Article 10*

**ARTICLE X: [REPEALED]**



**SESSION LAWS 1963**

Section

***Chapter 1110: Retirement Pension Fund***

- 1 Title
- 2 Membership; contributions; benefits
- 3 Retirement fund to be maintained on actuarial reserve basis
- 4 Board of trustees
- 5 Payment may be contracted
- 6 Authorized investments

***CHAPTER 1110: RETIREMENT PENSION FUND***

**SECTION 1 TITLE.**

The retirement or pension fund which may hereafter be established by the governing body of the Town of Pilot Mountain under the provisions of this Act shall be known, and is hereafter referred to, as the Pilot Mountain Employees Retirement Fund.

**SECTION 2 MEMBERSHIP; CONTRIBUTIONS; BENEFITS.**

The governing body of the Town of Pilot Mountain may establish by ordinance, a retirement fund which provides for the payment of benefits to employee members of the Town of Pilot Mountain Employees Retirement Fund, or to their beneficiaries, in the following cases:

- (1) Retirement because of age;
- (2) Disability;
- (3) Death.

Membership shall include such officers and employees of the Town of Pilot Mountain as shall be so designated in the ordinance. The Town of Pilot Mountain shall contribute to the Pilot Mountain Employees Retirement Fund in such amounts as shall be stated in the ordinance, in order to meet the liabilities accruing against such fund because of personal service rendered to said town by such members after the establishment of such fund: Provided, however, that the ordinance may provide benefits which are based, partly or entirely, upon personal services rendered to the Town of Pilot Mountain prior to the establishment of said fund, and the municipality may contribute the entire cost of benefits based on any such prior service. The expense of the administration.

**SECTION 3 RETIREMENT FUND TO BE MAINTAINED ON ACTUARIAL RESERVE BASIS.**

The contributions required to cover the cost of benefits based on prior service shall be sufficient to fund the liability for such prior service in not more than 40 years from the date of the establishment of such fund. The ordinance may provide for the appointment or election of a retirement board or board of trustees, and for the delegation to such board of such powers and duties as may be deemed necessary to carry out the intent and purpose for which said fund is established. If such retirement board or board of trustees is provided for by ordinance, the said board shall consist of a member or members of the governing body of the Town of Pilot Mountain, an employee or employees entitled to participate in said fund, and one or more citizens of the State of North Carolina not officially connected with the governing body of any municipality or entitled to participate in the benefits of said fund.

**SECTION 4 PAYMENT MAY BE CONTRACTED.**

The Town of Pilot Mountain may provide for the payment of one or more of the benefits enumerated in Section 2 of this Act by contracting with the governing body of any other municipality or municipalities within the State, with the United States Government, or with the State Departments or other competent agencies, or may contract with any insurance company, person or other corporation for the performance of any service in connection with the establishment of said fund, or for the investment, care or administration of said fund, or for any other service relating thereto.

**SECTION 5 AUTHORIZED INVESTMENTS.**

The Town of Pilot Mountain, or any governing body, agency, insurance company, person or other corporation contracting with the Town of Pilot Mountain for the investment, care or administration of said fund may invest and reinvest the funds constituting the said fund in one or more of the types of securities or other investments authorized by Section 58-79 of the General Statutes of North Carolina, as here before or hereafter amended, and by other State law for the investment of assets of domestic life insurance companies.

***Editor's note:***

*Retirement system for counties, cities and town,  
see G.S. §§ 128-21 et seq.*





**SESSION LAWS 1971**

Section

***Chapter 427: Liquor Control Stores***

- 1 Special election
- 2 Same; general provisions
- 3 Subsequent elections; closing of stores
- 4 Town board of alcoholic control
- 5 Same, powers and duties
- 6 Disposition of profits

***CHAPTER 427: LIQUOR CONTROL STORES*****SECTION 1 SPECIAL ELECTION.**

The board of the Town of Pilot Mountain may on its own motion and shall upon receipt of a petition signed by fifteen percent (15%) of the registered voters of the town, order an election to be held on the question of whether or not a town liquor control store may be operated in the Town of Pilot Mountain and if a majority of the votes cast in such election shall be for the operation of such a store, it shall be legal for a liquor control store to be set up and operated in said town, but if a majority of the votes cast in said election shall be against the operation of a town liquor control store, no such store shall be set up or operated in said town under provision of this act.

**SECTION 2 SAME; GENERAL PROVISIONS.**

In calling for such special liquor election, the said board shall give at least 20 days' public notice of the same prior to the opening of the registration books, and said registration books shall remain open for the same period of time before such special liquor election as is required by law for them to remain open for a regular town election. A new registration of voters for such special liquor election shall not be necessary and all qualified electors who are properly registered prior to registration for the special election and those who register in said special liquor election shall be entitled to vote in said election. In said election a ballot shall be used upon which shall be printed on separate lines for each proposition, "For Town Liquor Control Store" and "Against Town Liquor Control Store."

Those favoring setting up and operating liquor store in the Town of Pilot Mountain shall mark in the voting square to the left of the words "For Town Liquor Control Store," printed on the ballot; and those opposed to a town liquor control store shall mark in the voting space to the left of the words "Against Town Liquor Control Store." Except as otherwise herein provided the special election authorized shall be conducted under the same statutes, rules, and regulations applicable to regular elections in the town.

**SECTION 3 SUBSEQUENT ELECTIONS; CLOSING OF STORES.**

The board may on its own motion, and shall upon a petition signed by fifteen percent (15%) of all registered voters of the town, call a subsequent election for the purpose of voting "For" or "Against" a liquor control store. If a subsequent election shall be held and at such election a majority of the votes shall be cast "Against Town Liquor Control Store," the town liquor control board shall within three months from the canvassing of such votes and the declaration of the result thereof, close said store and shall thereafter cease to operate the same, and within said three months the town control board shall dispose of all alcoholic beverages on hand, all fixtures, and all other property in the hands and under the control of said board and convert the same into cash and turn the same over to the town treasurer. Thereafter, all Public, Public Local, and Private Laws applicable to the sale of intoxicating beverages within said Town of Pilot Mountain in force and effect prior to the authorization to operate a town liquor store shall be in full force and effect the same as if such election had not been held until and unless another election is held under the provisions of this act in which a majority of the votes shall be cast "For Town Liquor Control Store." No election shall be called and held in the Town of Pilot Mountain under the provisions of this act within three years from the holding of the last election thereunder. It shall be the duty of the Board of the Town of Pilot Mountain to order the special liquor election herein authorized within 60 days after a sufficient petition has been filed requesting the same. But no election under this act shall be held on the day of any biennial county, or town general election or primary election, or within 30 days of any such election.

#### **SECTION 4 TOWN BOARD OF ALCOHOLIC CONTROL.**

If the operation of a town liquor control store is authorized under the provisions of this act, the mayor and board of the town shall immediately create a town board of alcoholic control to be composed of a chairman and two other members who shall be well known for their character, and business acumen. The board shall be known and designated as "The Town of Pilot Mountain Board of Alcoholic Control." The chairman of the board shall be designated by the mayor and governing body of the town and shall serve for the first term a period of three years and one member shall serve for his first term a period of two years, and the other member shall serve for a period of one year; and all terms shall begin with the date of their appointment, and after the said terms shall have expired their successors in office shall serve for a period of three years. Their successors or any vacancy occurring in the board shall be named or filled by the mayor and the governing body of the town.

#### **SECTION 5 SAME; POWERS AND DUTIES.**

The said Town of Pilot Mountain Board of Alcoholic Control shall have all the powers and duties imposed by Section 18-45, except 18-415 (15), of the General Statutes on county boards of alcoholic control and shall be subject to the powers and authority of the State Board of Alcoholic Control the same as county boards of alcoholic control as provided in Section 18-39 of the General Statutes. The said Town of Pilot Mountain Board of Alcoholic Control and the operation of any town liquor store authorized under the provisions of this act shall be subject to and in pursuance with the provisions of Article 3 of Chapter 18 of the General Statutes, except to the extent which the same may be in conflict with the provisions of this act. Wherever the word "county" board of alcoholic control appears in said Article, it shall include the Town of Pilot Mountain Board of Alcoholic Control.

***Editor's note:***

*The statutes cited in this section have been repealed and replaced with G.S. Chapter 18A*

#### **SECTION 6 DISPOSITION OF PROFITS.**

The net profits derived from the operation of liquor control stores in the Town of Pilot Mountain shall, after deducting necessary working capital, salaries, and expenses, be distributed quarterly by the Board of Alcoholic

Control as follows:

70% to the General Fund of the Town

20% to the Town for law enforcement

10% to the Town for parks and recreation.



**SESSION LAWS 1973**

Section

***Chapter 485: Zoning***

- 1 Authority of board to regulate land use
- 2 Act to apply to municipalities in Surry County

***CHAPTER 485: ZONING*****SECTION 1 AUTHORITY OF BOARD TO REGULATE LAND USE.**

The board of Surry County and the governing boards of municipalities located in Surry County are hereby empowered, in accordance with the conditions and procedure specified in this act, by ordinance to regulate within their respective lawful jurisdictions the uses of buildings and structures for trade, industry, residence, recreation, public activities or other purposes, and the uses of land for trade, industry, residence, recreation, agriculture, water supply conservation, soil conservation, forestry or other purposes.

For any or all these purposes, the county and municipalities located therein may divide their territorial jurisdiction into districts of any number, shape, and area that may be deemed best suited to carry out the purposes of this section; and within those districts it may regulate and restrict the erection, construction, reconstruction, alteration, repair or use of buildings, structures, or land. All regulations shall be uniform for each class or kind of building throughout each district, but the regulations in one district may differ from those in other districts; provided, however, that the county and municipalities located therein may provide for the creation of special use districts in addition to general use districts.

It is the purpose and intent of this section to permit Surry County and the municipalities located therein to create general use districts in which a variety of uses are permitted, and to also create special use districts in which a single use is permitted upon the issuance by the board or municipal governing board of a special use permit prescribing the conditions under which such use will be permitted.

A person petitioning for rezoning of a tract of land, where special use districts are authorized by ordinance, may elect to request general use district zoning for said tract, or he may elect to request special use district zoning for said tract.

If he elects to petition for general use district zoning, he may not refer, either in his petition or at any hearings related to the petition, to the use intended for the property upon rezoning. The board or municipal governing board may not consider the intended use in determining whether to approve or disapprove the petition, but shall consider the full range of uses permitted within the requested general use district. If the petition is approved, the rezoned property may be used for any of the uses permitted in the applicable general use district.

If the petitioner elects to petition for special use district zoning, the petition must specify the actual use intended for the property specified in the petition, and the intended use must be one permitted in the corresponding general use district. If the petition is for special use district zoning, the board or municipal governing board is to approve or disapprove the petition on the basis of the specific use requested. If the petition

is approved, the board or municipal governing board shall issue a special use permit authorizing the requested use with such suggestions as the respective board determines to be desirable.

The suggestions contained in a special use permit issued by the board or municipal governing board may include: location of the proposed use on the property; the number of dwelling units; the location and extent of support facilities such as parking lots, driveways, and access streets; location and extent of buffer areas and other special purposes areas; the timing of development; and such other matters as the petitioner may propose and the board or municipal governing board may find appropriate, but not to include architectural review or controls.

It is the further intent of this section to permit the creation of districts for specific uses and the imposition of reasonable conditions in order to secure the public health, safety and welfare, and insure that substantial justice be done.

**SECTION 2 ACT TO APPLY TO MUNICIPALITIES IN SURRY COUNTY.**

This act shall apply only to Surry County and the municipalities located therein within their respective lawful jurisdictions.