

15A NCAC 07I .0702 WHEN AN ACTION EXCEEDS THE LOCAL AUTHORITY

When the local permit-letting agency exceeds the scope and extent of its authority, which is limited to consideration of applications proposing minor development as defined in the Coastal Area Management Act, that action shall be null, void and of no effect. The determinations of the commission shall be binding on the local permit-letting agency as to questions of such jurisdiction.

History Note: Authority G.S. 113A-118(e); 113A-120(c); 113A-124(c)(5);
Eff. November 1, 1984;
RRC objection Eff. September 17, 2022 and rule returned to agency on October 5, 2023;
Codifier determined that agency's findings of need did not meet criteria for emergency rule on December 20, 2023;
Emergency Adoption Eff. January 3, 2024;
Emergency Rule Expired Eff. May 13, 2024;
Returned to Code pursuant to order of Wake County Superior Court, currently under appeal, Eff. March 3, 2025.