



## Instructions for Filing Protest Petition

### 1. Signatures

- **Own signature:** Each person signing the protest petition must sign his or her own names and address. **No one can sign this protest petition on behalf of another person**, unless there is a valid power of attorney submitted **at the time the protest petition is filed.**
- **Wife and husband:** If the property is owned jointly by a wife and husband, each spouse must sign the protest petition. One spouse cannot sign for another spouse.
- **Corporation:** If the protestant is a corporation, the protest petition must be executed by a corporate office authorized to act on behalf of the corporation, attested by the corporate secretary, and the corporate seal affixed.
- **Tenants in common:** Each tenant in common in the ownership of property must sign the protest petition, or an attorney-in-fact can sign the protest petition provided a valid Power-of-Attorney is filed with the protest petition.
- **Condominium:** If the protestant is a condominium owner, the protest petition can be signed by the president or vice-president of the board of directors of the homeowners' association, attest by the corporate secretary, and the corporate seal affixed.
- **Life estate:** If a person has only a life estate in the property, it is necessary to include the signature(s) of the person(s) having the remaining interest(s) as well as the life tenant's signature.

**2. Map:** The location of property owned by each protestant must be shown on a map attached to the protest petition. An appropriate map may be obtained from the Real Estate Department in the County Office Building for a nominal fee.

**3. Filing deadline:** In order to determine the sufficiency and accuracy of the protest petition, it shall be filed with the City Clerk in time to allow at least two (2) normal working days (excluding Saturday, Sundays, legal holidays and the date of the public hearing) prior to the date established for a public hearing on the proposed change or amendment.

**4. The 20% rule:** The City's Land Development Code requires the protest petition, opposing a change in zoning and invoking the three-fourths rule, be signed by the owners of 20% or more either of the area of the lots included in such proposed change, or those adjacent thereto, as specified in G. S. 160A-385.

**5. The three-fourths rule:** When the three-fourths rule is invoked, six affirmative votes of the Mayor and City Council are required in order to change the zoning.

**Any signatures on filed protest petitions that are not in compliance with these instructions shall be invalid.**