

The Herald-Sun



Keep public notices public



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On a recent Friday morning, readers of this newspaper – whether they subscribed, bought a copy at a convenience store, dropped by the library or picked up a copy left on a park bench – could have learned, among other things, that:

-- A property owner on East Seeman Street seeks a variance from the Durham Board of Adjustment to build a fence higher than zoning rules normally would allow.

-- In Carrboro, aldermen will hold a public hearing on whether to “allow Temporary Family Health Care Structures as an Accessory Use...”

-- County commissioners will hear from the public on a zoning change to allow a new development under a “residential rural” classification.

Our local governments are eager for public input – but even if they weren’t, any interested citizen could see those legal advertisements because state law requires it. And for generations, citizens have been able to find such announcements, and other vital information about local government action, in those widely available legal notice sections of newspapers.

For a decade, however, some legislators have been trying to eradicate that requirement under the specious notion that local governments could post those notices on their own websites and be just as effective.

The flaws in that argument are many. Most important, many residents, especially in rural or low-wealth areas, have limited Internet access at best. And even with convenient access, it’s unlikely many citizens would dive deep into a local government website to see if any public notices were posted.

Letting the government be the sole conduit for those notices, moreover, as the N. C. Press Association notes, is “the fox guarding the henhouse.” Again, we have no doubt our elected officials in this area would be open without the law – but elected bodies change and, as Ronald Reagan cautioned, it’s best to “trust but verify.” Or, as an old newsroom cliché goes, you trust your mother but you still cut the cards.

Last Tuesday, in the middle of Sunshine Week, which promotes and celebrates openness in government, key legislative sponsors held a press conference to explain their compromise bill that will continue to require that the notices be published in newspapers.

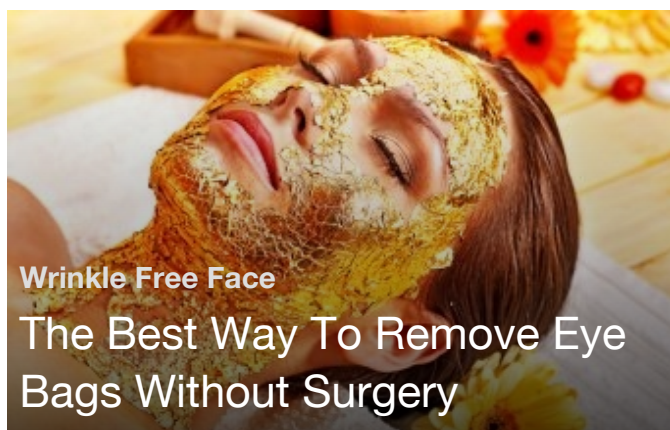
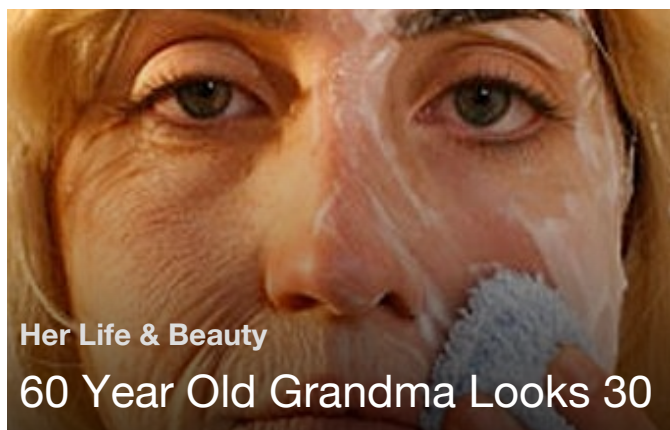
This is not a partisan issue. We’re pleased many Democrats – including our local delegation – have long supported of public notices. But Republicans control the legislature. So we’re pleased that the bill’s primary sponsors include several Republicans, including influential Sen. Tom Apodaca from Buncombe County and

Marilyn Avila from nearby Wake.

We acknowledge a financial stake for newspapers in legal advertising. But the broad issue is whether public notices will continue to appear where the public will notice them.

We hope this legislative session cements that principle.

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