GENERAL ASSEMBLY OF NORTH CAROLINA SESSION 1997

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SENATE BILL 1399*

Short Title: City of Durham/Stormwater Fees.

(Local)

Sponsors: Senators Gulley; and Lucas.

Referred to: Finance.

May 27, 1998

2 AN ACT TO ALLOW THE CITY OF DURHAM TO PARTICIPATE IN THE 3 OF STORM DRAINAGE IMPROVEMENTS ON PRIVATE PROPERTY	AND
4 TO ALLOW PRIVATE PARTIES TO PAY OVER TIME FOR THEIR POL	
5 OF THE COST OF THE IMPROVEMENTS.	
6 The General Assembly of North Carolina enacts:	
7 Section 1. The Charter of the City of Durham, being Chapter 671 of th	e 1975
8 Session Laws, as amended, is amended by adding the following new section:	
9 "Section 34. Repairs to Stormwater System Located on Private Property.	
10 (a) The city is authorized to use funds collected from stormwater	ees to
11 participate in the cost of repairs, improvements, and maintenance to the store	nwater
12 system located on private property within the city, and to enact ordinances that a	
13 the private and public share of the cost of such activities. Upon written request	by the
14 property owner, the city is also authorized to allow the private share of the cos	· ·
15 interest at a rate to be fixed by the city council but not to exceed nine percent (9	
16 annum, to be paid over a period of time to be fixed by the city council but not to	exceed
17 10 years. The unpaid portion owed to the city by the property owner shall be	come a
18 lien on the real property, and may be collected in the same manner and using th	e same
19 procedures by which the city collects delinquent personal or real property taxes	. Any

- 1 such lien shall be inferior to all prior and subsequent liens for federal, state, and local
- 2 taxes, equal to liens of special assessments, and superior to all other liens and
- 3 encumbrances.
- 4 (b) The authority granted by this section is in addition to and not in derogation of
- 5 any other authority granted to the city by this charter or any other law."
- 6 Section 2. This act is effective when it becomes law.