

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007**

**SESSION LAW 2008-76
HOUSE BILL 2580**

**AN ACT TO EXTEND THE AUTHORITY OF THE TOWN OF CHAPEL HILL TO
REQUIRE PAYMENTS-IN-LIEU FOR RECREATIONAL FACILITIES.**

The General Assembly of North Carolina enacts:

SECTION 1. Section 5.42 of the Charter of the Town of Chapel Hill, being Chapter 473 of the 1975 Session Laws as added by Section 3 of Chapter 549 of the 1993 Session Laws and incorporated in the Charter under G.S. 160A-496, reads as rewritten:

"Sec. 5.42. Developers to make payment to town in lieu of reserving or dedicating recreation area.

(a) A town may adopt ordinances applicable in the town and the town's extraterritorial planning jurisdiction to require that developers make payment to the town in lieu of reserving or dedicating recreation areas, where the town's planning and development regulations would otherwise require provision of recreation areas equaling ~~two~~ four acres or less. The amount of payment shall be determined through procedures to be established by ordinance and in a manner consistent with G.S. 160A-372.

(b) A town may adopt ordinances applicable in the town and the town's extraterritorial planning jurisdiction to require that developers make payment to the town in lieu of providing improved recreation space and facilities under G.S. 160A-381(c) in:

- (1) New residential developments. The amount of payment shall be determined through procedures to be established by ordinance and in a manner consistent with G.S. 160A-372.
- (2) New nonresidential developments. The amount of payment shall be determined through procedures to be established by ordinance and shall be based on the potential demand for recreational facilities to be generated by the new development."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 10th day of July, 2008.

s/ Beverly E. Perdue
President of the Senate

s/ Joe Hackney
Speaker of the House of Representatives