

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

**S**

**1**

**SENATE BILL 1133\***

Short Title: County/City Solid Waste Collection.

(Public)

---

Sponsors: Senator Clodfelter.

---

Referred to: Finance.

---

March 22, 2007

A BILL TO BE ENTITLED

1 AN ACT REQUIRING COUNTIES AND CITIES TO PROVIDE REASONABLY  
2 EQUITABLE GARBAGE COLLECTION SERVICE TO SINGLE-FAMILY AND  
3 MULTIFAMILY DWELLINGS WITH PROPERTY TAXES LEVIED TO  
4 PROVIDE THE SERVICE AND TO ESTABLISH REASONABLY EQUITABLE  
5 SERVICE AND FEES FOR GARBAGE COLLECTION SERVICE WHEN  
6 OPERATING A PUBLIC ENTERPRISE FOR THE PURPOSE OF PROVIDING  
7 THE SERVICE.  
8

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 153A-149 is amended by adding the following new  
11 subsection to read:

12 "(h) If a county levies property taxes to provide solid waste services as authorized  
13 by subdivision (c)(31) of this section, the county shall provide a reasonably equitable  
14 level of solid waste services to all single-family and multifamily dwellings within the  
15 county, and the county shall not charge multifamily dwellings any additional costs or  
16 fees for the services that are not also charged single-family dwellings."

17 **SECTION 2.** G.S. 153A-277(a) reads as rewritten:

18 "(a) A county may establish and revise from time to time schedules of rents, rates,  
19 fees, charges, and penalties for the use of or the services furnished by a public  
20 enterprise. Schedules of rents, rates, fees, charges, and penalties may vary for the same  
21 class of service in different areas of the county and may vary according to classes of  
22 service, and different schedules may be adopted for services provided outside of the  
23 county. However, if a county provides solid waste collection and disposal services as  
24 authorized by G.S. 153A-274(3), the county shall provide a reasonably equitable level  
25 of service to all single-family and multifamily dwellings within the county, and shall  
26 establish a schedule of fees for the services that reflects the level of service provided. A  
27 county may include a fee relating to subsurface discharge wastewater management  
28 systems and services on the property tax bill for the real property where the system for  
29 which the fee is imposed is located."

1           **SECTION 3.** G.S. 160A-209 is amended by adding the following new  
2 subsection to read:

3           "(i) If a city levies property taxes to provide solid waste services as authorized by  
4 subdivision (c)(29) of this section, the city shall provide a reasonably equitable level of  
5 solid waste services to all single-family and multifamily dwellings within the city, and  
6 the city shall not charge multifamily dwellings any additional costs or fees for the  
7 services that are not also charged single family dwellings."

8           **SECTION 4.** G.S. 160A-314(a) reads as rewritten:

9           "(a) A city may establish and revise from time to time schedules of rents, rates,  
10 fees, charges, and penalties for the use of or the services furnished by any public  
11 enterprise. Schedules of rents, rates, fees, charges, and penalties may vary according to  
12 classes of service, and different schedules may be adopted for services provided outside  
13 the corporate limits of the city. However, if a city provides solid waste collection and  
14 disposal services as authorized by G.S. 160A-311(6), the city shall provide a reasonably  
15 equitable level of service to all single-family and multifamily dwellings within the city,  
16 and shall establish a schedule of fees for the services that reflects the level of service  
17 provided."

18           **SECTION 5.** This act is effective when it becomes law.