

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2011**

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**HOUSE DRH70168-RW-7 (03/21)**

Short Title:    Limit ETJ.

(Public)

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Sponsors:     Representatives Sager, Dixon, Hill, and Langdon (Primary Sponsors).

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Referred to:

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1                                    A BILL TO BE ENTITLED  
2 AN ACT TO LIMIT THE EXTRATERRITORIAL JURISDICTION OF MUNICIPALITIES  
3 TO URBAN PURPOSES AND TO PROHIBIT THE INCLUSION OF PROPERTY IN AN  
4 EXTRATERRITORIAL JURISDICTION AREA FOR ENVIRONMENTAL IMPACT  
5 LAWS OR REGULATIONS.

6 The General Assembly of North Carolina enacts:

7           **SECTION 1.** G.S. 160A-360(a) reads as rewritten:

8           "(a) All of the powers granted by this Article may be exercised by any city within its  
9 corporate limits. In addition, any city may exercise these powers with regard only to property  
10 developed for an urban purpose, as defined in G.S. 160A-36, within a defined area extending  
11 not more than one mile beyond its limits. With the approval of the board or boards of county  
12 commissioners with jurisdiction over the area, a city of 10,000 or more population but less than  
13 25,000 may exercise these powers over an area extending not more than two miles beyond its  
14 limits and a city of 25,000 or more population may exercise these powers over an area  
15 extending not more than three miles beyond its limits. The boundaries of the city's  
16 extraterritorial jurisdiction shall be the same for all powers conferred in this Article. No city  
17 may exercise extraterritorially any power conferred by this Article that it is not exercising  
18 within its corporate limits. In determining the population of a city for the purposes of this  
19 Article, the city council and the board of county commissioners may use the most recent annual  
20 estimate of population as certified by the Secretary of the North Carolina Department of  
21 Administration."

22           **SECTION 2.** G.S. 160A-360 is amended by adding a new subsection to read:

23           "(k) A municipality is prohibited from including land or property within its  
24 extraterritorial jurisdiction area, as defined by this section, as part of the present or future  
25 environmental impact of that municipality on any watershed for regulatory or statutory  
26 purposes."

27           **SECTION 3.** This act is effective when it becomes law.

