

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2015

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HOUSE BILL 874

Short Title: Cities/Availability Charge/Improved Property. (Public)

Sponsors: Representatives Jordan, Ross, Setzer, and Watford (Primary Sponsors).  
*For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.*

Referred to: Local Government, if favorable, Finance.

April 15, 2015

1 A BILL TO BE ENTITLED  
2 AN ACT AUTHORIZING CITIES TO REQUIRE PAYMENT OF A PERIODIC  
3 AVAILABILITY CHARGE IF IMPROVED PROPERTY QUALIFIES FOR THE  
4 ISSUANCE OF A BUILDING PERMIT AND THE CITY HAS INSTALLED WATER  
5 OR SEWER LINES DIRECTLY AVAILABLE TO THE PROPERTY.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 160A-317 reads as rewritten:

8 "**§ 160A-317. Power to require connections to water or sewer service and the use of solid**  
9 **waste collection services.**

10 (a) ~~Connections.~~ Connections:

11 (1) A city may require an owner of developed property on which there are  
12 situated one or more residential dwelling units or commercial establishments  
13 located within the city limits and within a reasonable distance of any water  
14 line or sewer collection line owned, leased as lessee, or operated by the city  
15 or on behalf of the city to connect the owner's premises with the water or  
16 sewer line or both, and may fix charges for the connections. In lieu of  
17 requiring connection under this ~~subsection~~ subdivision and in order to avoid  
18 hardship, the city may require payment of a periodic availability charge, not  
19 to exceed the minimum periodic service charge for properties that are  
20 connected.

21 (2) In the case of improved property that would qualify for the issuance of a  
22 building permit for the construction of one or more residential dwelling units  
23 or commercial establishments and where the city has installed water or  
24 sewer lines or a combination thereof directly available to the property, the  
25 city may require payment of a periodic availability charge, not to exceed the  
26 minimum periodic service charge for properties that are connected.

27 ...."

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

