

Local Government

See full summary documents for additional detail

H200 - 2019 Storm Recovery/Var. Budget Corrections. (SL 2019-250)

S.L. 2019-250 provides funds for (i) disaster relief from Hurricane Dorian (ii) resiliency measures against future storms, and (iii) the Rural Health Care Stabilization Fund. It also makes corrections to various budget-related bills and enacts certain budget provisions from House Bill 966, 2019 Regular Session.

Sections 3.6 and 3.7 became effective July 1, 2019. Section 3.8 became effective May 16, 2019. The remainder of the act became effective November 18, 2019.

H370 - Require Cooperation with ICE Detainers. (Ratified)

House Bill 370 would (1) require confinement facilities to comply with detainers and administrative warrants issued by Immigration and Customs Enforcement (ICE); (2) authorize the removal of a sheriff or officer from office for failing to comply with ICE detainers, and (3) require confinement facilities to submit annual reports to the Joint Legislative Oversight Committee on Justice and Public Safety (JPS Oversight) regarding compliance with ICE detainers.

House Bill 370 was ratified by the General Assembly on August 20, 2019, and vetoed by the Governor on August 21, 2019.

H629 - Law Enforcement Mutual Aid. (SL 2019-130)

S.L. 2019-130 authorizes mutual aid agreements between North Carolina law enforcement agencies and out-of-state law enforcement agencies.

The act became effective July 19, 2019.

H645 - Revisions to Outdoor Advertising Laws. (Ratified)

House Bill 645, vetoed by the Governor on August 22, 2019, would amend the laws pertaining to outdoor advertising, to do all of the following:

- Allow for relocation and reconstruction of outdoor advertising signs, with specified criteria to be met.
- Prohibit the North Carolina Department of Transportation from denying a sign relocation site due to the presence of vegetation obstructing the sign's visibility.
- Reduce the waiting period for a permitted outdoor advertising location to receive a selective vegetation removal permit from two years to one year, and exempt relocated signs from that waiting period.

If the bill were to become law, Section 4, pertaining to the relocation of lawfully existing outdoor advertising signs, would apply to signs removed on or after July 1, 2019. Section 7, prohibiting the Department of Transportation from denying a sign relocation site due to the presence of vegetation obstructing the sign's visibility, would be apply to outdoor advertising signs relocated on or after the date the bill becomes law. The remainder of the bill would become effective when it becomes law.

H675 - 2019 Building Code Regulatory Reform. (SL 2019-174)

S.L. 2019-174 does all of the following:

- Requires the North Carolina Building Code Council (Building Code Council) to:
 - Create a form for inspection certifications by licensed engineers and licensed architects.
 - Conduct a cost-benefit analysis for all proposed changes to the North Carolina Energy Conservation Code.
 - Consult with the Department of Environmental Quality (DEQ) to study options for on-site disposal of demolition debris.
- Requires the North Carolina Code Officials Qualification Board (Q-Board) to establish a standard certificate for a residential changeout inspector.
- Clarifies the definition of building "component."
- Prohibits cities and counties from requiring:
 - Licensed engineers and licensed architects inspecting building components or elements to submit information other than that required on the inspection certification form.
 - Residential building plans submitted by licensed engineers and licensed architects to be under seal unless required by the North Carolina State Building Code (State Building Code).
 - Developers to bury existing above ground power lines.
 - A minimum square footage for residential structures.
- Requires cities and counties to:
 - Complete initial residential plan reviews within 15 business days.
 - Issue temporary certificates of occupancy in certain circumstances.
- Makes it a Class 2 misdemeanor to falsely claim or suggest that a person, firm, or corporation is a licensed general contractor.
- Exempts, under certain circumstances, temporary motion picture, television, and theater stage sets and scenery from the State Building Code permit requirement.
- Authorizes the Board of Examiners of Plumbing, Heating, and Fire Sprinkler Contractors to establish and issue a Residential Fire Sprinkler Design License.
- Extends to October 1, 2021, the requirement to report to the Department of Insurance (DOI), any residential framing inspection resulting in 15 or more violations.
- Requires the DOI to issue a guidance paper by October 1, 2019, on the review of residential building plans.

This act has various effective dates, please see the full summary for more detail.

H757 - Pender County/Butner Property Transfers. (SL 2019-137)

S.L. 2019-137 requires the State of North Carolina to convey to the Pender County Board of Commissioners, for \$1.00, all its rights, titles, and interests in approximately 100 acres of land to be used

as a jail and law enforcement center and to convey to the Town of Butner, for \$1.00, all its rights, titles, and interests in the former Umstead Correctional Center in Butner.

The act became effective July 19, 2019.

H917 - Emergency Declaration/Clarify Rd Closure. (SL 2019-89)

S.L. 2019-89 clarifies that a local declaration of emergency includes the authority to close roads and public vehicular areas to the public within the emergency area during the emergency.

This act became effective July 8, 2019.

S68 - Relocation of Water/Sewer Line Costs. (SL 2019-197)

S.L. 2019-197 amends the law that requires the North Carolina Department of Transportation (DOT) to pay a percentage of nonbetterment costs for certain water and sewer line relocations when located within the right-of-way (ROW) of State transportation improvement projects.

This act became effective August 14, 2019.

S95 - Veterans Memorial Funds/Do Not Revert. (SL 2019-75)

S.L. 2019-75 does the following:

- Provides that funds appropriated for the construction of public facilities at the North Carolina Veterans Memorial Pavilion do not revert to the General Fund until June 30, 2020.
- Extends until June 30, 2021, the time in which funds allocated for water lines for Rockingham and Guilford counties, and certain municipalities within those counties, may be used before reverting to the General Fund, and expands the use of those funds to include sewer and wastewater projects.
- Allocates funds that were directed to be used to provide a grant to the Resource Institute, Inc. for hurricane mitigation projects on Topsail Island directly to the Towns of North Topsail Beach, Surf City, and Topsail Beach for hurricane recovery projects.
- Provides that funds allocated for planning and permitting of a satellite aquarium area shall instead be used to address storm damage at the Core Sound Waterfowl Museum and Heritage Center and to add the home of civil rights leader Golden Frinks to the Historic Edenton State Historic Site.
- Clarifies the purpose of water and wastewater infrastructure funding to the Town of Mount Airy.

This act became effective June 30, 2019.

S190 - Expand Special Assessments for Dam Repair. (SL 2019-190)

S.L. 2019-190 extends the sunset on counties' authority to impose special assessments for dam repair from July 1, 2019 to July 1, 2022, and expands the authority to repair privately-owned dams used for recreational

and flood control purposes with a lake between 1,100 and 1,300 acres. The Woodlake dam in Moore County has a lake within this range.

S.L. 2019-151 made the sunset extension effective July 1, 2019. The remainder of this act became effective August 1, 2019.

S191 - Out-of-State Law Enforcement/2020 Republican Convention. (SL 2019-109)

S.L. 2019-109 authorizes a police department in a city with a population exceeding 500,000 to contract with an out-of-state law enforcement agency for the use of officers and equipment for a designated period.

This change becomes effective January 1, 2020, applies to all intergovernmental law enforcement agreements entered into on or after that date, and expires October 1, 2020.

Contingent upon House Bill 966 becoming law, the act also amends that bill's requirement that the Department of Administration select land in Granville County for relocation of certain State agency facilities. The amendment would require the selected land to be located in a specified business and industrial park if the land is donated to the State or conveyed for the sum of \$1.00. As of the date of this summary, a precondition to this provision becoming effective has not yet occurred, because the Governor's veto of House Bill 966 has not been overridden.

S316 - Affordable Housing. (SL 2019-144)

S.L. 2019-144 directs municipalities with a population of at least 90,000 to report to the General Assembly on local government funding, subsidies, and activities related to affordable housing.

The act became effective July 19, 2019.

S320 - Regional Water Systems and State Grants. (Ratified)

Senate Bill 320 would amend requirements governing disbursement of water/wastewater infrastructure grants or loans to recipients engaged in regionalization to, in certain circumstances, require a written agreement between a recipient and local government units purchasing treated or untreated water from the recipient, stating the current rates of purchase and any anticipated increases over the term of the agreement, or a resolution approved by the governing board of the purchasing local government unit stating that it waives its option to establish such a written agreement. The bill also establishes a process for the Local Government Commission (LGC) to assist in resolving any disputes between local government units prior to execution of a written agreement. If the parties fail to reach an agreement, the bill would prohibit the Department of Environmental Quality (DEQ) from disbursing any loan or grant to either local government unit until the dispute is resolved to the satisfaction of the LGC.

Senate Bill 320 was vetoed by the Governor on August 2, 2019, has not been overridden by the General Assembly, and, therefore, has not become law.

S378 - Local Economic Development Modifications. (SL 2019-112)

S.L. 2019-112 provides, effective July 11, 2019, that if an appropriation or expenditure for economic development under Chapter 158 is included in the budget for the unit of government making the appropriation or expenditure, no further public hearing on the appropriation or expenditure is needed beyond the public hearing on that annual budget.

S483 - Vacation Rental Act Changes. (SL 2019-73)

S.L. 2019-73 provides that properties subject to the Vacation Rental Act are also subject to the statutes governing local government enforcement of hazardous and unlawful conditions.

This act became effective July 1, 2019.