

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 422
SENATE BILL 798

AN ACT AUTHORIZING SANITARY DISTRICTS TO PROVIDE STREETS AND
LAW ENFORCEMENT SERVICES AND ALLOWING SMALL SANITARY
DISTRICTS TO COMPENSATE BOARD MEMBERS IN THE SAME MANNER
AS LARGE SANITARY DISTRICTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 130A-55 is amended by adding two new subdivisions to read:

"(23) To acquire (by purchase, lease, gift, or otherwise, but not by condemnation), construct, maintain, operate, and regulate roads and streets within the sanitary district which are not State-maintained. Not all of these powers need be exercised.

(24) To contract for security personnel or to provide for law enforcement within the district to the same extent that a city or town is authorized to provide for law enforcement pursuant to Article 13 of Chapter 160A of the General Statutes. For the purpose of this subdivision, any reference in Article 13 of Chapter 160A of the General Statutes to 'city' is to be interpreted to include a sanitary district."

Sec. 2. G.S. 130A-55(15) reads as rewritten:

"(15) To use the income of the district, and if necessary, to levy and collect taxes upon all the taxable property within the district sufficient to pay the costs of collecting and disposing of garbage, waste and other refuse, and to provide fire protection and rescue services in the district. district, to acquire, construct, maintain, operate, and regulate roads and streets within the district which are not State-maintained, and to provide for law enforcement within the district. Taxes shall be levied and collected at the same time and in the same manner as taxes for debt service as provided in G.S. 130A-62."

Sec. 3. G.S. 130A-55(24), as enacted by this act, shall expire on July 1, 1997.

Sec. 4. Effective July 1, 1997, G.S. 130A-55(15), as amended by this act, reads as rewritten:

"(15) To use the income of the district, and if necessary, to levy and collect taxes upon all the taxable property within the district sufficient to pay the costs of collecting and disposing of garbage, waste and other refuse, to provide fire protection and rescue services in the district, and to acquire, construct, maintain, operate, and regulate roads and streets

within the district, and to provide for law enforcement within the district."

Sec. 5. G.S. 130A-56 reads as rewritten:

"§ 130A-56. Election of officers; board staff. compensation.

(a) Upon election, a sanitary district board shall meet and elect one of its members as chairperson and another member as secretary. ~~In sanitary districts with a population of less than 15,000, each member of the board may receive a per diem compensaton and other compensation as provided for members of State boards under G.S. 138-5, payable from the funds of the district.~~

(b) The board may employ a ~~clerk, stenographer~~ clerk or other assistants as necessary and may fix duties of and compensation for employees. A sanitary district board may remove employees and fill vacancies.

(c) The board may, by ordinance, fix the compensation of its members in an amount not to exceed one hundred fifty dollars (\$150.00) per month, payable from the funds of the district, but no increase may become effective earlier than the first meeting of the board following the next election of board members after adoption of the ordinance. ~~Until adoption of an ordinance under this subsection, the compensation of members of sanitary district boards shall remain at the amount payable by law immediately prior to March 25, 1985. This subsection applies only to sanitary districts with a population of 15,000 or over. each member of the board may receive compensation as provided for members of State boards under G.S. 138-5, payable from funds of the district.~~"

Sec. 6. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 12th day of July, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives