

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 971
Corrected Copy 4/23/99

Short Title: Expand Municipal Service Districts.

(Public)

Sponsors: Representatives McMahan; Earle, Easterling, Rayfield, and Saunders.

Referred to: Economic Growth and Community Development.

April 12, 1999

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE CREATION OF MUNICIPAL SERVICE DISTRICTS
3 IN CERTAIN CITIES FOR URBAN AREA REVITALIZATION PROJECTS.

4 The General Assembly of North Carolina enacts:

5 Section 1. G.S. 160A-536 reads as rewritten:

6 "**§ 160A-536. Purposes for which districts may be established.**

7 (a) Purposes. — The city council of any city may define any number of service
8 districts in order to finance, provide, or maintain for the districts one or more of the
9 following services, facilities, or functions in addition to or to a greater extent than those
10 financed, provided or maintained for the entire city:

11 (1) Beach erosion control and flood and hurricane protection ~~works; works.~~

12 (1a) (For applicability see note) Any service, facility, or function which the
13 municipality may by law provide in the city, and including but not
14 limited to placement of utility wiring underground, placement of period
15 street lighting, placement of specially designed street signs and street
16 furniture, landscaping, specialized street and sidewalk paving, and other
17 appropriate improvements to the rights-of-way that generally preserve
18 the character of an historic district; provided that this subdivision only
19 applies to a service district which, at the time of its creation, had the

1 same boundaries as an historic district created under Part 3A of Article
2 19 of this ~~Chapter~~, Chapter.

3 (2) ~~Downtown revitalization projects;~~ projects.

4 (2a) Urban area revitalization projects.

5 (3) ~~Drainage projects;~~ projects.

6 (3a) Sewage collection and disposal systems of all types, including septic
7 tank systems or other on-site collection or disposal facilities or ~~systems;~~
8 systems.

9 (4) ~~Off-street parking facilities;~~ and facilities.

10 (5) Watershed improvement projects, including but not limited to
11 watershed improvement projects as defined in General Statutes Chapter
12 139; drainage projects, including but not limited to the drainage projects
13 provided for by General Statutes Chapter 156; and water resources
14 development projects, including but not limited to the federal water
15 resources development projects provided for by General Statutes
16 Chapter 143, Article 21.

17 (b) Downtown Revitalization Defined. – As used in this section "downtown
18 revitalization projects" include by way of illustration but not limitation improvements to
19 water mains, sanitary sewer mains, storm sewer mains, electric power distribution lines,
20 gas mains, street lighting, streets and sidewalks, including rights-of-way and easements
21 therefor, the construction of pedestrian malls, bicycle paths, overhead pedestrian
22 walkways, sidewalk canopies, and parking facilities both on-street and off-street, and
23 other improvements intended to relieve traffic congestion in the central city, improve
24 pedestrian and vehicular access thereto, reduce the incidence of crime therein, and
25 generally to further the public health, safety, welfare, and convenience by promoting the
26 economic health of the central city or downtown area. In addition, a downtown
27 revitalization project may, in order to revitalize a downtown area and further the public
28 health, safety, welfare, and convenience, include the provision of city services or
29 functions in addition to or to a greater extent than those provided or maintained for the
30 entire city. A downtown revitalization project may also include promotion and
31 developmental activities (such as sponsoring festivals and markets in the downtown area,
32 promoting business investment in the downtown area, helping to coordinate public and
33 private actions in the downtown area, and developing and issuing publications on the
34 downtown area) designed to improve the economic well-being of the downtown area and
35 further the public health, safety, welfare, and convenience. Exercise of the authority
36 granted by this Article to undertake downtown revitalization projects financed by a
37 municipal service district shall not prejudice the city's authority to undertake urban
38 renewal projects in the same area.

39 (c) Urban Area Revitalization Defined. – As used in this section, the term 'urban
40 area revitalization projects' includes the provision within an urban area of any service or
41 facility that may be provided in a downtown area as a downtown revitalization project
42 under subdivision (a)(2) and subsection (b) of this section. As used in this section, the
43 term 'urban area' means an area that (i) is located within a city whose population exceeds

1 400,000 according to the most recent annual population statistics certified by the State
2 Planning Officer and (ii) meets one or more of the following conditions:

- 3 (1) It is the central business district of the city.
4 (2) It consists primarily of existing or redeveloping concentrations of
5 industrial, retail, wholesale, office, or significant employment-
6 generating uses, or any combination of these uses.
7 (3) It is located in or along a major transportation corridor and does not
8 include any residential parcels that are not, at their closest point, within
9 150 feet of the major transportation corridor right-of-way or any
10 nonresidentially zoned parcels that are not, at their closest point, within
11 1,500 feet of the major transportation corridor right-of-way.
12 (4) It has as its center and focus a major concentration of public or
13 institutional uses, such as airports, seaports, colleges or universities,
14 hospitals and health care facilities, or governmental facilities.
15 (d) Contracts. – A city may provide services, facilities, functions, or promotional
16 and developmental activities in a service district with its own forces, through a contract
17 with another governmental agency, through a contract with a private agency, or by any
18 combination thereof. Any contracts entered into pursuant to this paragraph shall specify
19 the purposes for which city moneys are to be used and shall require an appropriate
20 accounting for those moneys at the end of each fiscal year or other appropriate period."

21 Section 2. This act is effective when it becomes law.