

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2009**

**HOUSE BILL 1011
RATIFIED BILL**

**AN ACT TO PROVIDE FOR ASSESSMENTS BY THE CITY OF RALEIGH TO OWNERS
OF STORMWATER FACILITIES.**

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-459(c) reads as rewritten:

"(c) A city may implement illicit discharge detection and elimination controls, construction site stormwater runoff controls, and post-construction runoff controls through an ordinance or other regulatory mechanism to the extent allowable under State law. Any ordinance enacted pursuant to this section may contain a provision allowing the city to assess the owners of stormwater facilities for repairs to damaged or failed controls that were required to be constructed or implemented by the provisions of an ordinance enacted pursuant to this section. Any ordinance containing such an assessment provision shall establish a notice and cure provision which must be given to the owner of the failed or damaged facility before the city can commence a repair project. Any assessment made pursuant to such an ordinance shall have the same priority and be collected in the same manner as special assessments governed by G.S. 160A-233(c)."

SECTION 2. This act applies to the City of Raleigh only.

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

In the General Assembly read three times and ratified this the 13th day of July, 2009.

Walter H. Dalton
President of the Senate

Joe Hackney
Speaker of the House of Representatives

