

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 271
HOUSE BILL 674

AN ACT TO GRANT THE TOWN OF BETHEL ADDITIONAL POWERS OF ASSESSMENT AS TO STREETS AND SIDEWALKS.

The General Assembly of North Carolina enacts:

Section 1. In addition to any authority which is now or may hereafter be granted by general law to the Town of Bethel for making street improvements, the city council is hereby authorized to make street improvements and to assess the costs thereof against abutting property owners in accordance with the provisions of this act.

Sec. 2. The town commissioners may order street improvements and assess the costs thereof, exclusive of the costs incurred at street intersections, against the abutting property owners, according to one or more of the assessment bases set forth in Article 10 of Chapter 160A of the North Carolina General Statutes, without the necessity of a petition, upon findings of fact by the council that:

(1) such street or part thereof is unsafe for vehicular traffic and it is in the public interest to make such improvement, or

(2) it is in the public interest to connect two streets or portions of a street already improved, or

(3) it is in the public interest to widen a street, or part thereof, that is already improved. However, assessments for widening any street, or portion of street, without petition shall be limited to the cost of widening and otherwise improving such street in accordance with the street classification and improvement standard established by the town's thoroughfare or major street plan for the particular street, or part thereof to be widened and improved, or

(4) such street, or part thereof, is in need of repair or pavement and it is in the public interest to make such improvements.

Sec. 3. For the purpose of this act, the term "street improvement" shall include grading, regrading, surfacing, resurfacing, widening, paving, repaving, the acquisition of right-of-way, and the construction or reconstruction of curbs, gutters, and street drainage systems.

Sec. 4. In addition to any authority which is now or may hereafter be granted by general law to the Town of Bethel for making sidewalk improvements, the town commissioners are hereby authorized, without the necessity of a petition, to make or to order to be made sidewalk improvements or repairs according to standards and specifications of the city, and to assess the total cost thereof against abutting property owners, according to one or more of the assessment bases set forth in Article 10 of Chapter 160A of the North Carolina General Statutes; provided, however, that

regardless of the assessment basis or bases employed, the council may order the costs of sidewalk improvements made only on one side of a street to be assessed against property owners abutting both sides of such street.

Sec. 5. In ordering street and sidewalk improvements without a petition and assessing the costs thereof under authority of this act, the town commissioners shall comply with the procedure provided by Article 10, Chapter 160A of the General Statutes, except those provisions relating to the petition of property owners and the sufficiency thereof.

Sec. 6. The effect of the act of levying assessments under authority of this Article shall for all purposes be the same as if the assessments were levied under authority of Article 10 of Chapter 160A of the General Statutes.

Sec. 7. This act shall be in addition to and not in derogation of any other powers already held by general laws or in the town Charter.

Sec. 8. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 27th day of April, 1981.