

NORTH CAROLINA GENERAL ASSEMBLY
1981 SESSION

CHAPTER 374
HOUSE BILL 633

AN ACT TO AMEND THE CHARTER OF THE CITY OF WILMINGTON
REGARDING WATER SUPPLY AND SEWAGE DISPOSAL AND LOCAL
IMPROVEMENTS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 495, Session Laws of 1977, being the Charter of the City of Wilmington, is amended by making the following changes:

(1) Section 15.16 of Article XV of the City Charter is amended by adding the words "and/or sanitary sewer" after the word "water" and before the word "system" in the third line; and after the word "waterworks" and before the word "system" in the eleventh and sixteenth lines;

(2) Section 15.7 of Article XV of the City Charter is amended by substituting the word "consumers" for the words "citizens of the City of Wilmington" in the third line;

(3) Section 15.9 of Article XV of the City Charter is rewritten to read as follows:
"Sec. 15.9. Authority of council to require sewer connection and to establish connection and use charges. The city council may require the owners of improved property abutting upon the streets in which any sanitary sewer mains are located, or within a reasonable distance thereof, to connect such premises with sanitary sewer mains that are part of the city sanitary sewer system, under such rules and regulations and upon such conditions as the city council shall by ordinance fix and establish.

The city council shall have the power to fix reasonable fees to be charged property owners for the privilege of connecting with such sanitary sewer mains and the subsequent use thereof.";

(4) Section 15.4 of Article XV of the City Charter is rewritten to read as follows:

"Sec. 15.4. Authority of city council to require connection with water mains and fix rates for connection with and use of water mains. The city council may require the owners of improved property abutting upon the streets in which any water mains are located, or within a reasonable distance thereof, to connect such premises with water mains that are part of the city waterworks system, under such rules and regulations and upon such conditions as the city council shall by ordinance fix and establish.

The city council shall have the right to fix reasonable fees to be charged property owners for the privilege of connecting with such water mains and the subsequent use thereof.";

(5) Section 15.17 of Article XV of the City Charter is amended by deleting the words "in the City of Wilmington" in the third line immediately following the words "can be located" and immediately before the words "or that such";

(6) Section 15.17 of Article XV of the City Charter is amended by substituting "15.16" for "17.16" in the twelfth line;

(7) Section 19.9 of Article XIX of the City Charter is amended by deleting the words "Upon the advice of the department of public works and engineering and services," beginning on the first line of the first paragraph and capitalizing the word "the" immediately preceding the words "city council";

(8) Subsection 19.11(a)(2) is amended by deleting from the fourth line the sentence which reads: "Such costs shall be assessed against the lots and parcels of land according to their respective frontages thereon by equal rate per foot of such frontage." and by substituting the following therefor: "Assessments may be made on the basis of any of the methods set forth in G.S. 160A-218.";

(9) Section 19.12 of Article XIX of the City Charter is rewritten to read:

"Sec. 19.12. Corner lot exemptions. The council shall have authority to determine the amount and applicability of assessment exemptions for corner lots, and to distinguish between different classifications of property uses. The schedule of exemptions shall not exceed the maximum limitations set forth in G.S. 160A-219. If the corner formed by two (2) intersecting streets is rounded into a curve or is foreshortened for the purpose of providing sight distance or for any other purpose of construction, the frontage for assessment purposes shall be calculated to the midpoint of the curve or foreshortened corner.";

(10) Section 19.13 of Article XIX of the City Charter is amended by deleting the words "frontage and" in the fifth line immediately following the words "which is shown" and before the words "location of each affected lot" and substituting therefor the word "the";

(11) Subsection 19.25(b) is amended by deleting "160-93" and substituting therefor "160A-233" in the second line;

(12) Subsection 19.29(3) of Article XIX of the City Charter is amended by rewriting the second paragraph to read:

"In such event, the cost of such improvement shall become a lien upon the particular abutting property and may thereafter be collected either by suit in the name of the City or by foreclosure of the lien in the same manner and subject to the same rules, regulations, costs and penalties as provided by G.S. 160A-233.";

(13) Subsection 19.29(3) of Article XIX of the City Charter is amended by substituting the word "certified" for "registered" immediately after the words "sent by" and before the word "mail" in the fifth line of the first paragraph; and

(14) Section 19.19 is amended by deleting the words: "thirty (30) days after the publication or posting of the notice of confirmation" beginning in the ninth line immediately following the words "due and payable" and before the comma, and substituting therefor the words: "sixty (60) days after the date that the assessment roll is confirmed".

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 13th day of May, 1981.