

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 272
HOUSE BILL 570

AN ACT TO AMEND THE CHARTER OF THE CITY OF RALEIGH,
CONCERNING RESERVATION OF SITES AND CONCERNING STREET
CONSTRUCTION.

The General Assembly of North Carolina enacts:

Section 1. Section 22 of Chapter 1184 of the Session Laws of North Carolina, 1949, as amended, the Charter of the City of Raleigh, is amended by adding the following new subdivisions:

"(78) To adopt ordinances providing for the reservation of sites for public buildings or rights-of-way for public facilities and utilities including but not limited to fire stations, police stations, streets, water systems and sanitary sewer systems. The City Council after recommendation by the planning commission shall determine the location and size of any such reservations and shall cause those locations to appear on the City's comprehensive land use plan. If the City enacts ordinances pursuant to this authority those ordinances shall provide, in part, that any subdivision submitted for approval which includes any such reservation or any request for a building permit not involving subdivision approval which includes such a reservation, the administrative official charged with receiving such request shall give notice of the request to the City Council at its next regularly scheduled meeting. The Council shall decide at that meeting whether it still wishes to require the reservation. If the Council does wish the reservation, it shall have a period of seven months in which to acquire the reserved area by purchase or by eminent domain. If the Council has not purchased the reservation interest or begun condemnation proceedings within the seven-month period, the subdivider or building permit applicant may treat the land as freed of the reservation.

(79) To construct streets outside the corporate limits but within its extraterritorial jurisdiction. Such a street may be built only after a finding by the City Council that the street is essential to the operation of an orderly transportation system for the City and the surrounding urbanized area. Upon annexation of any area in which such streets are located, the City is authorized to make special assessments against the property benefited by the improvements which were installed prior to the annexation. The City is also authorized to reimburse for overwidth streets those who build streets outside the City limits but within the extraterritorial jurisdiction for the City through the subdivision process or any other development process. In order to effect this reimbursement the City is authorized to establish reimbursement zones and to determine reimbursement rates for each zone."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 6th day of May, 1983.