

GENERAL ASSEMBLY OF NORTH CAROLINA
1983 SESSION

CHAPTER 346
HOUSE BILL 574

AN ACT TO ALLOW THE TOWN OF MAIDEN TO MAKE STREET
IMPROVEMENTS AND ASSESS THE COST AGAINST ABUTTING
PROPERTY OWNERS WITHOUT A PETITION.

The General Assembly of North Carolina enacts:

Section 1. The Charter of the Town of Maiden, as contained in Chapter 103, Private Laws of 1883, as amended, is further amended by adding a new section to read:

"Sec. 9.1. Assessments for Street Improvements; Petition Unnecessary.

(a) In addition to any authority which is now or may hereafter be granted by general law to the Town for making street improvements, the Town Council is hereby authorized to make street improvements and to assess the cost thereof against abutting property owners in accordance with the provisions of this section.

(b) The Council may order one-time street improvements and assess the cost thereof against the abutting property owners, exclusive of the costs incurred at street intersections, according to one or more of the assessment bases set forth in Article 10 of Chapter 160A of the General Statutes without the necessity of a petition, upon the finding by Council as facts:

- (1) That the street improvement project does not exceed 1,800 linear feet; and
- (2) That such street or part thereof is unsafe for vehicular traffic and it is in the public interest to make such improvement; or
- (3) That it is in the public interest to connect two streets or portions of a street already improved.

(c) For the purposes of this section, the term 'street improvement' shall include grading, surfacing, paving and the construction of curbs, gutters, and street drainage facilities.

(d) In ordering street improvements without a petition and assessing the costs thereof under authority of this section, the Town Council shall comply with the procedure provided by Article 10 of Chapter 160A of the General Statutes, except those provisions relating to the petition of property owners and the sufficiency thereof.

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

Sec. 2. This act shall become effective July 1, 1983.

In the General Assembly read three times and ratified, this the 23rd day of May, 1983.