

GENERAL ASSEMBLY OF NORTH CAROLINA
1997 SESSION

S.L. 1997-445
SENATE BILL 683

AN ACT TO AUTHORIZE THE DURHAM CITY COUNCIL TO DELEGATE TO THE CITY MANAGER THE AUTHORITY TO APPROVE THE PAYMENT OF FACILITIES FEES IN INSTALLMENTS, TO AUTHORIZE THE CITY OF BURLINGTON TO DISPOSE OF CERTAIN PROPERTY BY PRIVATE SALE, AND CONCERNING ZONING IN ALAMANCE COUNTY.

The General Assembly of North Carolina enacts:

Section 1. Section 115.6(b) of the Charter of the City of Durham, being Chapter 671 of the 1995 Session Laws, as added by Chapter 476 of the 1989 Session Laws and rewritten by Chapter 992 of the 1991 Session Laws, reads as rewritten:

"(b) The City Council may permit the payment of a facilities fee in a lump sum or in equal monthly or annual installments over a period of time not to exceed 10 years. The city council may delegate authority to the city manager, or designee of the city manager, to authorize the payment of a facilities fee in installments when requested by the person who is responsible for paying the fee. If paid in installments, such installments shall bear interest at a rate fixed by the City Council of not more than nine percent (9%) per annum from the date when ~~payment by lump sum would have otherwise been due.~~ the City approves payment of the facilities fee in installments. The facilities fee, with accrued interest, may be paid in full at any time."

Section 2. Notwithstanding Article 12 of Chapter 160A of the General Statutes, the City of Burlington, North Carolina, may convey certain real property, now declared surplus real property, at a negotiated private sale to HABITAT FOR HUMANITY OF ALAMANCE COUNTY, N.C., INC., with monetary consideration, any and all of its rights, title, and interest to the following described property:

A certain tract or parcel of land in Burlington Township, Alamance County, adjoining Gunn Street, Richmond Avenue and the lands of Grace M. Jones, Mary Belle Wilson and Lots 25 and 28 and being more particularly described as follows:

BEGINNING at a corner with Mary Belle Wilson and Lot No. 28 in the line of Grace M. Jones and Lot No. 25 and running thence from said beginning point with the line of Mary Belle Wilson and Lot No. 28 south 87 deg. 45' east 185' to a point in the west right-of-way line of Richmond Avenue; thence with the west right-of-way line of Richmond Avenue south 2 deg. 03' west 50.00' to the intersection of the west right-of-way line of Richmond Avenue and the north right-of-way line of Gunn Street; thence with the west right-of-way line of Gunn Street north 87 deg. 45' west 185' to a corner with Grace M. Jones; thence with the line of Grace M. Jones and Lot No. 25 north 2

deg. 03' east 50.00' to the BEGINNING and being part of Lot No. 27, subdivision of the Manly Brooks Property on Richmond Hill recorded in Plat Book 1, Page 53, in the office of the Alamance County Register of Deeds.

Section 2.1. (a) In addition to the powers granted by the last paragraph of G.S. 153A-342, a county shall, if approved by the voters of a precinct under subsection (b) of this section, designate that precinct as a zoning area unless that area is within the zoning jurisdiction of a municipality, provided that if only a part of the precinct is within the zoning jurisdiction of a municipality, the county shall act under this section as to the remainder of the precinct. A zoning area shall be regulated in the same manner as if the entire county were zoned, and the remainder of the county need not be regulated. Subsequent changes in the boundaries of the precinct do not change the boundaries of the zoning area.

(b) Upon the petition of thirty-five percent (35%) of the registered voters living in a precinct, the board of county commissioners of the county shall call an election in said precinct for the purpose of submitting to the qualified voters therein the question of adopting a zoning ordinance applicable to that precinct. If the voters reject the question, then no new election may be held under this section within two years on the question of zoning in that precinct.

(c) This section applies to Alamance County only.

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

In the General Assembly read three times and ratified this the 28th day of August, 1997.

s/ Marc Basnight
President Pro Tempore of the Senate

s/ Harold J. Brubaker
Speaker of the House of Representatives