

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2003**

**SESSION LAW 2004-96
HOUSE BILL 1730**

**AN ACT TO ALLOW THE TOWN OF HOLDEN BEACH TO IMPOSE A SEWER
TREATMENT FEE.**

The General Assembly of North Carolina enacts:

SECTION 1. Fee-Supported District. – A municipality may create a fee-supported sewer treatment district for all properties that are or can be served by the sewage collection and treatment plant serving properties within the Town.

SECTION 2. Creation of Fee-Supported District. – The Town may adopt a resolution establishing a fee-supported sewer treatment district.

SECTION 3. Imposition of Annual Fees. – The Town may impose annual fees for the availability of sewer service within the district. The Board shall set same on or before July 1 each year.

SECTION 4. Fees. – The fees imposed by the municipality may not exceed the cost of providing the sewer collection facility within the municipality and the cost of the contract with a county to provide it with the facilities to transport, treat, and dispose of the municipality's effluent. Said fees shall be imposed on owners of each dwelling unit or parcel of property that could or does benefit from the availability of sewage treatment.

SECTION 5. Billing of Fees. – The municipality may include a fee imposed under this section on the property tax bill for each parcel of property lying within the municipal limits on which the fee is imposed. Said fee shall be collected in the same manner as provided for in the General Statutes for the collection of ad valorem taxes, and remedies available by statute for the collection of taxes shall apply to the collection of the sewer district fees.

SECTION 6. Use of Fees. – The Town shall credit the fees collected within the district to a separate fund to be used only to pay the debt service for the sewer system. The governing board of the municipality shall administer the fund to provide for the payment of said sewer services provided by the county.

SECTION 7. Abolition of District. – Upon finding that there is no longer a need for a given fee-supported district, the governing board of the municipality may repeal the resolution establishing the district and thus abolish the district.

SECTION 8. This act applies only within the Town of Holden Beach.

SECTION 9. This act is effective when it becomes law.
In the General Assembly read three times and ratified this the 13th day of
July, 2004.

s/ Beverly E. Perdue
President of the Senate

s/ James B. Black
Speaker of the House of Representatives