

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005**

**SESSION LAW 2005-142
HOUSE BILL 1063**

**AN ACT TO ALLOW THE TOWN OF KILL DEVIL HILLS TO MAKE CERTAIN
ASSESSMENTS WITHOUT PETITION.**

The General Assembly of North Carolina enacts:

SECTION 1. The Charter of the Town of Kill Devil Hills, being Chapter 735 of the 1995 Session Laws, is amended by adding a new Article to read:

**"ARTICLE VII. STREET/SIDEWALK/STORMWATER MANAGEMENT
IMPROVEMENTS; ASSESSMENT OF COSTS.**

"Sec. 7.1. Authority.

(a) The Town of Kill Devil Hills is not subject to G.S. 160A-217(a) when making special assessments for:

- (1) Construction of new streets.
- (2) Construction of new sidewalks.
- (3) Widening of streets or sidewalks.
- (4) Construction of new curbs.
- (5) Construction of new gutters.

(b) If the Town of Kill Devil Hills elects to make assessments under the authority of subsection (a) of this section and a sidewalk is constructed on only one side of the street, the cost thereof may be assessed against the property abutting on both sides of the street, unless there already exists a sidewalk on the other side of the street, the total cost of which was assessed against the abutting property.

(c) The Town of Kill Devil Hills may not assess without petition under subsection (a) of this section except upon a four-fifths majority vote of the Board of Commissioners.

(d) This act is supplemental to any other authority of the Town."

SECTION 2. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 30th day of June, 2005.

s/ Marc Basnight
President Pro Tempore of the Senate

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