

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011**

**SESSION LAW 2011-108
SENATE BILL 145**

AN ACT TO ALLOW THE TOWN OF SOUTHERN SHORES TO IMPOSE A CANAL DREDGING AND MAINTENANCE FEE AND TO ASSESS FOR NAVIGATION PROJECTS.

The General Assembly of North Carolina enacts:

SECTION 1. Section 7 of S.L. 2004-104 as rewritten by S.L. 2005-47 and S.L. 2005-90 reads as rewritten:

"**SECTION 7.** This act applies only within the municipal boundaries of the Towns of Emerald Isle, Holden Beach, ~~and Ocean Isle Beach.~~ Ocean Isle Beach, and Southern Shores."

SECTION 2.(a) This section applies only to the Town of Southern Shores.

SECTION 2.(b) Sections 1 through 4 of S.L. 2004-104 as amended by Section 1 of S.L. 2007-335 reads as rewritten:

"**SECTION 1.** Fee-Supported Canal Dredging and Maintenance District. – A municipality by resolution may create a fee-supported canal dredging and maintenance district for all properties that are contiguous to a canal within the corporate limits.

"**SECTION 2.** Imposition of Annual Fees. – A municipality may impose annual fees for the dredging and maintenance of canals, both natural and concrete, within the corporate limits. The governing board shall establish the fees on or before July 1 each year.

"**SECTION 3.** Fees. – The fees imposed by the municipality may not exceed the cost of providing for the dredging and maintenance of the canals within the municipality. The fees shall be imposed on owners of each dwelling unit or parcel of property that could or does benefit from water access through the canal system ~~on the island within the municipality's corporate limits,~~ and shall be made on the basis of one of the following:

- (1) The frontage abutting the project at an equal rate per foot of frontage.
- (2) Per unit or parcel of property.

"**SECTION 4.** 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 canal dredging and maintenance fees."

SECTION 3. Section 3 of Chapter 725 of the 1985 Session Laws reads as rewritten:

"Sec. 3. This act applies to the ~~Town of~~ Towns of Southern Shores and Sunset Beach only."

SECTION 4. This act is effective when it becomes law.

In the General Assembly read three times and ratified this the 4th day of June, 2011.

s/ Richard Y. Stevens
Presiding Officer of the Senate



s/ Thom Tillis
Speaker of the House of Representatives