

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 987
HOUSE BILL 2353

AN ACT TO ESTABLISH FEES FOR PROCESSING APPLICATIONS FOR
PERMITS AND TO IMPROVE PERMIT PROCESSING AND COMPLIANCE
UNDER THE COASTAL AREA MANAGEMENT ACT.

The General Assembly of North Carolina enacts:

Section 1. G.S. 113A-119(a) reads as rewritten:

"(a) Any person required to obtain a permit under this Part shall file with the Secretary and (in the case of a permit sought from a city or county) with the designated local official an application for a permit in accordance with the form and content designated by the Secretary and approved by the Commission. The applicant must submit with the application a check or money order payable to the Department or the city or county, as the case may be, constituting a ~~reasonable fee (not to exceed twenty-five dollars (\$25.00) for a minor development permit and not to exceed one hundred dollars (\$100.00) for a major development permit)~~ set by the Commission ~~to cover the administrative costs in processing the said application.~~ pursuant to G.S. 113A-119.1."

Sec. 2. Article 7 of Chapter 113A of the General Statutes is amended by adding a new section to read:

"§ 113A-119.1. Permit Fees.

(a) The Commission shall have the power to establish a graduated fee schedule for the processing of applications for permits, renewal of permits, modification of permits, or transfers of permits issued pursuant to this Article. In determining the fee schedule, the Commission shall consider the administrative and personnel costs incurred by the Department for processing such applications and for related compliance activities and the complexity of the development sought to be undertaken for which a permit is required under this Article. The fee to be charged for processing an application may not exceed four hundred dollars (\$400.00). The total funds collected from fees authorized by the Commission pursuant to this section in any fiscal year shall not exceed thirty-three and one-third percent (33 1/3%) of the total personnel and administrative costs incurred by the Department for permit processing and compliance programs within the Division of Coastal Area Management.

(b) Fees collected under this section shall be credited to the General Fund and may be used to: (i) defray the expenses of any project or program, including educational programs, supporting the permitting and compliance activities under this Article and (ii) establish additional permanent positions, under the Personnel Act, for permitting and compliance activities under this Article.

(c) The Department shall make an annual report to the Joint Legislative Commission on Governmental Operations and the Fiscal Research Division on the cost of the permit program authorized under this Article. The report shall include the fees established and collected under this section and any other information requested by the General Assembly."

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 19th day of July, 1990.