

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 113

Short Title: Play Equipment/Housing Projects.

(Public)

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Sponsors: Representatives Green; Wainwright and H. Hunter.

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Referred to: State Government.

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February 14, 1994

A BILL TO BE ENTITLED

AN ACT TO PROVIDE BASIC RECREATION EQUIPMENT AT EACH PUBLIC HOUSING PROJECT AND PROVIDE RECREATION PROGRAMS FOR PRETEEN AND TEENAGE HOUSING PROJECT RESIDENTS AS A MEASURE TO PREVENT JUVENILE CRIME.

The General Assembly of North Carolina enacts:

Section 1. G.S. 157-42 reads as rewritten:

"§ 157-42. **Conveyance, lease or agreement in aid of housing ~~project.~~ project; mandatory playgrounds and basic recreation equipment.**

(a) For the purpose of aiding and cooperating in the planning, construction and operation of housing projects located within their respective territorial boundaries, the State, its subdivisions and agencies, and any county, city or municipality of the State may, upon such terms, with or without considerations as it may determine:

- (1) Dedicate, release, sell, convey, or lease any of its interest in any property, or grant easements, licenses or any other rights or privileges therein to a housing authority or the United States of America or any agency thereof;
- (2) Cause parks, playgrounds, recreational, community, educational, water, sewer or drainage facilities, or any other works, which it is otherwise empowered to undertake, to be furnished adjacent to or in connection with housing projects;
- (3) Furnish, dedicate, close, pave, install, grade, regrade, plan or replan streets, roads, roadways, alleys, sidewalks or other places, which it is otherwise empowered to undertake;

- 1 (4) Plan or replan, zone, or rezone; make exceptions from building  
2 regulations and ordinances; any city or town also may change its map;  
3 (5) Cause services to be furnished to the housing authority of the character  
4 which it is otherwise empowered to furnish;  
5 (6) Enter into agreements with respect to the exercise by it of its powers  
6 relating to the repair, closing or demolition of unsafe, insanitary or  
7 unfit dwellings;  
8 (7) Enter into agreements (which may extend over any period,  
9 notwithstanding any provision or rule of law to the contrary) with a  
10 housing authority respecting action to be taken pursuant to any of the  
11 powers granted by this Article. Any law or statute to the contrary  
12 notwithstanding, any sale, conveyance, lease or agreement provided  
13 for in this section may be made by the State, a city, county,  
14 municipality, subdivision or agency of the State without appraisal,  
15 public notice, advertisement or public bidding.  
16 (8) With respect to any housing project which a housing authority has  
17 acquired or taken over from the United States of America or any  
18 agency thereof and which the housing authority by resolution has  
19 found and declared to have been constructed in a manner that will  
20 promote the public interest and afford necessary safety, sanitation and  
21 other protection, no city or county shall require any changes to be  
22 made in the housing project or the manner of its construction or take  
23 any other action relating to such construction.

24 (b) Each housing project that receives funds from the State shall be furnished, at  
25 or adjacent to the housing project, with a playground that has basic recreation  
26 equipment to be used in conjunction with recreation programs for preteen and teenage  
27 residents that are administered by authorities pursuant to G.S. 157-9.3. Basic recreation  
28 equipment includes swings, slides, jungle gyms, and athletic areas for basketball and  
29 softball. Private entities are encouraged to contribute funds to the State to help fund the  
30 construction and maintenance of these playgrounds and equipment and the operating  
31 expenses of the recreation programs for preteen and teenage residents."

32 Sec. 2. Article 1 of Chapter 157 of the General Statutes is amended by  
33 adding a new section to read:

34 **"§ 157-9.3. Authority to develop mandatory recreation programs for preteen and**  
35 **teenage residents.**

36 An authority shall develop a recreation program for preteen and teenage residents  
37 designed to use the playground and basic recreation equipment provided pursuant to  
38 G.S. 157-42. This program shall be administered by a program committee consisting of  
39 tenants of the housing project, city council members, county commissioners,  
40 representatives of county departments of social services and county or district health  
41 departments, and local community volunteers."

42 Sec. 3. Each housing authority shall petition the federal government for  
43 permission to use future financial aid of the project received from the federal

- 1 government for capital costs associated with the playgrounds and recreation equipment
- 2 for the housing projects.
- 3           Sec. 4. This act becomes effective July 1, 1994.