

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

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SENATE BILL 718

Short Title: Chatham Impact Fee Amendments.

(Local)

Sponsors: Senator Hobbs.

Referred to: Finance

April 13, 1995

A BILL TO BE ENTITLED

AN ACT MODIFYING THE AUTHORITY OF CHATHAM COUNTY TO IMPOSE
IMPACT FEES.

The General Assembly of North Carolina enacts:

Section 1. Section 12.1 of Title III of Chapter 460 of the 1987 Session Laws
reads as rewritten:

"**Sec. 12.1.** This title ~~applies to Chatham County only.~~ shall apply only to Chatham
County, and applies only within the planning jurisdiction of Chatham County. Provided,
however, that any portion of a Chatham County ordinance that contains a system of
impact fees to provide for capital improvements to public schools within Chatham
County applies everywhere within Chatham County, including within the corporate limits
and the extraterritorial planning jurisdiction of any city, town, or municipal corporation
within Chatham County."

Sec. 2. Subsection (b) of Section 4 of Title III of Chapter 460 of the 1987
Session Laws reads as rewritten:

"(b) For purposes of this title, the term 'capital improvements' includes the
acquisition of land for open space and greenways, capital improvements to public streets,
schools, roads, public recreation facilities, bridges, sidewalks, bikeways, rescue facilities, on-
and off-street surface water drainage systems, ditches, pipes, culverts, and other drainage
facilities, water or sewer systems, and fire stations. ~~facilities, and public recreation~~

1 facilities, and the term 'costs' includes obligations incurred or assumed for payments with
2 respect to borrowed money and for payments under leases which are required to be
3 capitalized in accordance with generally accepted accounting principles and under
4 installment sale contracts in connection with such capital improvements."

5 Sec. 3. Title III of Chapter 460 of the 1987 Session Laws, including the
6 amendments made by this act, shall be liberally construed to effectuate its purposes.
7 Insofar as the provisions of Title III of Chapter 460 of the 1987 Session Laws, including
8 those herein amended, are inconsistent with the general law, the provisions of Title III of
9 Chapter 460 of the 1987 Session Laws shall control. If any provision of Title III of
10 Chapter 460 of the 1987 Session Laws, as herein amended, or the application thereof to
11 any person or circumstances is held invalid, such invalidity shall not affect other
12 provisions or applications of the part which can be given effect without the invalid
13 provision or application, and to this end the provisions of Title III of Chapter 460 of the
14 1987 Session Laws as herein amended are severable.

15 Sec. 4. G.S. 153A-331 is amended by identifying the existing provisions as
16 subsection (a) and by adding as subsequent sections thereof the provisions of Title III of
17 Chapter 460 of the 1987 Session Laws, as amended herein.

18 Sec. 5. G.S. 153A-340 is amended by identifying the existing provisions as
19 subsection (a) and by adding as subsequent sections thereof the provisions of Title III of
20 Chapter 460 of the 1987 Session Laws, as amended herein.

21 Sec. 6. All laws and clauses of laws in conflict herewith are hereby repealed to
22 the extent of such conflict.

23 Sec. 7. This act is effective upon ratification.