

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001**

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HOUSE BILL 647

Short Title: Durham Facilities Fees.

(Local)

Sponsors: Representative Miller.

Referred to: Rules, Calendar, and Operations of the House.

March 15, 2001

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE CITY OF DURHAM TO USE A PORTION OF THE
FACILITIES FEES COLLECTED BY THE CITY TO DEFRAID THE COSTS OF
ADMINISTERING THE FACILITIES FEE PROGRAM.

The General Assembly of North Carolina enacts:

SECTION 1. Section 115.3 of the Charter of the City of Durham, being Chapter 671 of the Session Laws of 1975 as added by Chapter 802 of the Session Laws of 1987 reads as rewritten:

"Sec. 115.3. **Purposes; Limitation on Use of Facilities Fees Hereunder.** (a) Facilities fees may be imposed for the following purposes:

- (1) Providing streets and sidewalks, including without limitation bridges, viaducts, causeways, overpasses, underpasses, and alleys; paving, grading, resurfacing and widening streets; sidewalks, curbs and gutters, culverts and drains; traffic controls, signals, and markers; lighting; and grade crossings and the elimination thereof and grade separations.
- (2) Providing parks and recreation facilities, including without limitation land, athletic fields, parks, playgrounds, recreation centers, shelters, stadiums, arenas, permanent and temporary stands, golf courses, swimming pools, wading pools, marinas, lighting, and bike paths.
- (3) Providing drainage projects in accordance with Chapter 156 or 160A of the General Statutes of North Carolina or in accordance with this Charter.
- (4) Providing or acquiring open space land in accordance with Article 19, Part 4, Chapter 160A of the General Statutes of North Carolina or of this Charter.

(b) Facilities fees collected for each purpose listed in subsection (a)(1) through (a)(4) above, shall be kept in separate funds in a manner consistent with the Local

1 Government Budget and Fiscal Control Act and the revenues so collected shall be used
2 only for the purpose of paying the capital costs of the facilities described in each said
3 ~~subsection.~~ subsection, and for the costs of administration as authorized in subsection
4 (c) of this section.

5 (c) The city may use up to five percent (5%) of the facilities fees collected to defray
6 the costs of administration of the facilities fee program."

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