

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2017

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HOUSE BILL 275  
Committee Substitute Favorable 4/20/17

Short Title: No Stormwater Fees on Taxiways or Runways.

(Public)

Sponsors:

Referred to:

March 8, 2017

1 A BILL TO BE ENTITLED  
2 AN ACT TO EXEMPT AIRPORTS FROM PAYING A STORMWATER UTILITY FEE  
3 LEVIED ON RUNWAYS AND TAXIWAYS.

4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** G.S. 153A-277(a1) is amended by adding two new subdivisions to  
6 read:

7 "(4) A county shall not impose a stormwater utility fee on a runway or taxiway  
8 located on military property.

9 (5) For all airports other than those covered by the exemption in subdivision (4)  
10 of this subsection, a county shall list separately the amount of a stormwater  
11 utility fee levied on airport runways and taxiways from the amount levied on  
12 the remainder of the airport property. An airport shall be exempt from  
13 paying a stormwater utility fee levied on its runways and taxiways. To  
14 qualify for an exemption under this subdivision, an airport shall use the  
15 amount of savings realized from this exemption for attracting business to the  
16 airport and shall provide certification to the county that the savings realized  
17 shall be used for this purpose. Except as otherwise prohibited under federal  
18 law, and upon request, an airport shall provide the levying county with  
19 evidence that the full amount of savings realized from the exemption  
20 authorized under this subdivision has been used or encumbered for the  
21 purpose set forth in this subdivision. Any amount of savings realized from  
22 the exemption authorized under this subdivision that is not used or  
23 encumbered for the purpose set forth in this subdivision shall be remitted to  
24 the county to be used in accordance with applicable law governing the use of  
25 stormwater utility fee proceeds. Savings realized from the exemption  
26 authorized under this subdivision shall be in addition to, and not in lieu of,  
27 any local funding provided by the county to the airport."

28 **SECTION 2.** G.S. 160A-314(a1) is amended by adding two new subdivisions to  
29 read:

30 "(4) A city shall not impose a stormwater utility fee on a runway or taxiway  
31 located on military property.

32 (5) For all airports other than those covered by the exemption in subdivision (4)  
33 of this subsection, a city shall list separately the amount of a stormwater  
34 utility fee levied on airport runways and taxiways from the amount levied on  
35 the remainder of the airport property. An airport shall be exempt from  
36 paying a stormwater utility fee levied on its runways and taxiways. To



1 qualify for an exemption under this subdivision, an airport shall use the  
2 amount of savings realized from this exemption for attracting business to the  
3 airport and shall provide certification to the city that the savings realized  
4 shall be used for this purpose. Except as otherwise prohibited under federal  
5 law, and upon request, an airport shall provide the levying city with evidence  
6 that the full amount of savings realized from the exemption authorized under  
7 this subdivision has been used or encumbered for the purpose set forth in  
8 this subdivision. Any amount of savings realized from the exemption  
9 authorized under this subdivision that is not used or encumbered for the  
10 purpose set forth in this subdivision shall be remitted to the city to be used in  
11 accordance with applicable law governing the use of stormwater utility fee  
12 proceeds. Savings realized from the exemption authorized under this  
13 subdivision shall be in addition to, and not in lieu of, any local funding  
14 provided by the city to the airport."

15 **SECTION 3.** This act becomes effective January 1, 2018, and applies to fees  
16 levied on or after that date.