

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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HOUSE BILL 436

Short Title: Local Government/Regulatory Fees. (Public)

Sponsors: Representative Stevens.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: State and Local Government I, if favorable, Finance

March 23, 2017

A BILL TO BE ENTITLED

AN ACT PROVIDING THAT COUNTIES AND CITIES SHALL NOT IMPOSE
REGULATORY FEES ON NEW CONSTRUCTION.

The General Assembly of North Carolina enacts:

SECTION 1. Article 6 of Chapter 153A of the General Statutes is amended by adding a new section to read as follows:

"§ 153A-145.7. Regulatory fees on new construction prohibited.

No county may impose a regulatory fee on new construction within the jurisdiction of the county unless specifically authorized by general law. For purposes of this section, a regulatory fee includes an impact fee, facility fee, project fee, capacity fee, or any other fee that requires a developer to pay an amount to help defray capital costs associated with new construction."

SECTION 2. Article 8 of Chapter 160A of the General Statutes is amended by adding a new section to read as follows:

"§ 160A-205.3. Regulatory fees on new construction prohibited.

No city may impose a regulatory fee on new construction within the city's corporate limits or extraterritorial jurisdiction unless specifically authorized by general law. For purposes of this section, a regulatory fee includes an impact fee, facility fee, project fee, capacity fee, or any other fee that requires a developer to pay an amount to help defray capital costs associated with new construction."

SECTION 3. Except as otherwise provided in this section, the following acts are repealed:

- (1) Chapter 477 of the Session Laws of 1989 (Benson).
- (2) Part 1 of Article 6 of the Charter of the Town of Carrboro, being Chapter 476 of the Session Laws of 1987, as amended.
- (3) Sections 7.4 and 8.5 of the Charter of the Town of Cary, being S.L. 2005-117, as amended.
- (4) Chapter 1021 of the Session Laws of 1987 (Catawba County).
- (5) Article 7 of the Charter of the Town of Chapel Hill, being Chapter 473 of the Session Laws of 1975, as amended by Chapter 936 of the 1985 Session Laws.
- (6) Titles III and VI of Chapter 460 of the Session Laws of 1987, as amended by Chapter 324 of the Session Laws of 1991 and Part 4 of Chapter 642 of the Session Laws of 1993 (Chatham and Orange Counties).
- (7) Chapter 660 of the Session Laws of 1991 (Dunn).



- 1 (8) Sections 5.8 and 5.9 of the Charter of the Town of Garner, being Chapter
2 333 of the Session Laws of 1977, as amended by Chapter 608 of the Session
3 Laws of 1989, Section 2 of Chapter 608 of the Session Laws of 1989, and
4 Chapter 601 of the Session Laws of 1993.
- 5 (9) Chapter 705 of the Session Laws of 1987 (Hickory).
- 6 (10) Chapter 536 of the Session Laws of 1985, as amended by Chapter 258 of the
7 Session Laws of 1987, Chapter 986 of the Session Laws of 1987, Chapter
8 987 of the Session Laws of 1987, and Chapter 988 of the Session Laws of
9 1987 (Kill Devil Hills, Kitty Hawk, Manteo, Nags Head, and Southern
10 Shores).
- 11 (11) Chapter 668 of the Session Laws of 1987 (Knightdale).
- 12 (12) Sections 6.3, 6.4, and 6.5 of the Charter of the Town of Knightdale, being
13 Chapter 155 of the Private Laws of 1927, as amended by Chapter 430 of the
14 Session Laws of 1989 and Chapter 770 of the Session Laws of 1989, are
15 repealed. Section 6.6 and Section 6.7 of the Charter of the Town of
16 Knightdale, being Chapter 155 of the Private Laws of 1927, as amended by
17 Chapter 430 of the Session Laws of 1989, are amended by deleting "Sections
18 6.2, 6.3, 6.4, and 6.5" wherever it appears and substituting "Section 6.2".
- 19 (13) Article XIV of the Charter of the Town of Pittsboro, being Chapter 348 of
20 the Session Laws of 1973, as amended by Chapter 460 of the 1987 Session
21 Laws.
- 22 (14) Section 22(81) and Section 22(82) of the Charter of the City of Raleigh,
23 being Chapter 1184 of the Session Laws of 1949, as amended by Chapter
24 498 of the Session Laws of 1985 and Chapter 514 of the Session Laws of
25 1987, are repealed. Section 22(83) and Section 22(84) of the Charter of the
26 City of Raleigh, being Chapter 1184 of the Session Laws of 1949, as
27 amended by Chapter 498 of the Session Laws of 1985, are amended by
28 deleting "(80), (81), and (82)" wherever it appears and substituting "(80)".
- 29 (15) Chapter 996 of the Session Laws of 1987 (Rolesville).
- 30 (16) Chapter 607 of the Session Laws of 1989 (Southern Pines).
- 31 (17) Chapter 502 of the Session Laws of 1989 (Wake Forest).
- 32 (18) Chapter 68 of the Session Laws of 1987 (Wendell).
- 33 (19) Chapter 668 of the Session Laws of 1987 and Sections 8.30, 8.31, 8.32, and
34 8.33 of the Charter of the Town of Zebulon, being Chapter 386 of the
35 Session Laws of 1973, as amended by Chapter 606 of the Session Laws of
36 1989 (Zebulon).

37 **SECTION 4.** This act is effective when it becomes law.