

GENERAL ASSEMBLY OF NORTH CAROLINA
1989 SESSION

CHAPTER 1043
HOUSE BILL 806

AN ACT TO AUTHORIZE THE CITY OF RALEIGH TO REGULATE
STORMWATER.

The General Assembly of North Carolina enacts:

Section 1. The governing body of the City of Raleigh may adopt such ordinances as it deems appropriate to regulate stormwater, by requiring the submission of plans in order to control stormwater from the site of any construction, landscaping, clearing projects or any other project which in any manner alters the natural structure of the land mass within said City of Raleigh and its extraterritorial planning jurisdiction, provided however, that such ordinance shall not be applicable to land-disturbing activities that are listed in G.S. 113A-56. The governing body of the City may establish by ordinance a program of regulations whereby prior to any land disturbing activity within the City of Raleigh and its extraterritorial planning jurisdiction, a permit must be obtained in the manner prescribed by the ordinance, and in accordance with the criteria and standards as established by the governing board.

The ordinance may provide that in lieu of the required improvements shown on the plan, a developer may be required to provide funds that the City may use for the construction of devices, structures, drainage easements, and impoundments to control stormwater within the drainage basin; these funds may be used to serve more than one site or development within the area. Any formula adopted to determine the amount of funds the developer is to pay in lieu of required improvements, shall be based on either impervious surfaces of the site or quantity of stormwater generated from the surfaces of the site or quantity of stormwater generated from the site. The ordinance may require a combination of partial payment of funds and partial construction when the governing body of the City determines that a combination is in the best interest of the citizens of the area to be served.

The City of Raleigh, upon establishing the amount of funds considered to be the value of the work required by this ordinance either to be performed or paid in lieu by the developer, shall match this total amount with other funds to be used for overall stormwater improvements for the City of Raleigh. This funding shall be based on an annual amount, based on work contracted for, and adjusted in the following year if required.

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 27th day of July, 1990.