

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 1991

CHAPTER 824
HOUSE BILL 1466

AN ACT TO AUTHORIZE HYDE COUNTY TO ASSESS BENEFITED PROPERTY
IN ADVANCE OF IMPROVEMENTS TO SUBDIVISION AND RESIDENTIAL
STREETS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153A-205 is amended by adding a new subsection to read:

"(b1) A county may finance the local share of the cost of improvements made under the supervision of the Department of Transportation to subdivision and residential streets located in the county and outside of a city by special assessment against benefited property in advance of the proposed improvements for a period not exceeding five years. The county may make advance assessments against benefited property for proposed improvements in lieu of obligating general funds in order to provide the portion of costs financed by the county. The county may estimate in advance the cost of the proposed improvements, then levy and collect in advance the cost of the proposed improvements to the benefited property pursuant to the procedures of Article 9 of Chapter 153A of the General Statutes. The county shall refund pro rata to the owner of benefited property the balance of an assessment remaining after full payment of the actual cost of the proposed improvements. If the actual cost of the improvements exceeds the amount estimated by the county, the county shall not levy a supplemental assessment against the benefited property. The local share is that share required by policies of the Secondary Roads Council, and may be paid by the county from funds not otherwise limited as to use by law. Land owned, leased, or controlled by a railroad company is exempt from such assessments to the same extent that it would be exempt from street assessments of a city under G.S. 160A-222. No project may be commenced under this subsection unless it has been approved by the Department of Transportation."

Sec. 2. This act applies to Hyde County only.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 1st day of July,
1992.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives