

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 985*
Second Edition Engrossed 5/15/91
Committee Substitute Favorable 6/13/91
Senate Local Government and Regional Affairs Committee Substitute Adopted 7/3/91
Senate Finance Committee Substitute #2 Adopted 7/11/91

Short Title: City Garbage/Statesville Assmt.

(Public)

Sponsors:

Referred to:

April 19, 1991

A BILL TO BE ENTITLED

AN ACT TO CLARIFY A CITY'S AUTHORITY TO REQUIRE PARTICIPATION
IN ANY SOLID WASTE COLLECTION SERVICES PROVIDED BY THE CITY
AND TO AUTHORIZE THE CITY OF STATESVILLE TO EXEMPT CERTAIN
PROPERTY FROM ASSESSMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-192 is repealed.

Sec. 2. G.S. 160A-317 reads as rewritten:

"§ 160A-317. Power to require ~~connections.~~ connections to water or sewer service
and the use of solid waste collection services.

(a) Connections. - A city may require ~~the owners~~ an owner of improved property
located within the city limits and upon or within a reasonable distance of any water line
or sewer collection line owned or leased and operated by the city to connect ~~his~~ the
owner's premises with the water or sewer line or both, and may fix charges for the
connections. In lieu of requiring connection under this ~~section~~ subsection and in order to
avoid hardship, the city may require payment of a periodic availability charge, not to
exceed the minimum periodic service charge for properties ~~which~~ that are connected.

(b) Solid Waste. - A city may require an owner of improved property to do any
of the following:

- 1 (1) Place solid waste in specified places or receptacles for the convenience
2 of city collection and disposal.
3 (2) Separate materials from solid waste before the solid waste is collected.
4 (3) Participate in a recycling program approved by the Council.
5 (4) Participate in any solid waste collection service provided by the city or by
6 a person who has a contract with the city if the owner or occupant of
7 the property has not otherwise contracted for the collection of solid
8 waste from the property.

9 A city may impose a fee for the solid waste collection service provided under
10 subdivision (4). The fee may not exceed the costs of collection."

11 Sec. 3. The City of Statesville may exempt from special assessments levied
12 under Article 10 of Chapter 160A of the General Statutes for the construction of water
13 lines, any property within the area annexed by the City of Statesville by Ordinance No.
14 22-90 adopted May 21, 1990, if the property, on the effective date of the annexation
15 ordinance (June 30, 1990), was situated adjacent to the water lines of the Iredell Water
16 Corporation, Piedmont Water Corporation, or to existing water lines of the City of
17 Statesville.

18 Sec. 4. Section 3 of this act applies to the City of Statesville only.

19 Sec. 5. This act is effective upon ratification.