

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 128
Committee Substitute Favorable 5/13/99

Short Title: Nonbetterment Relocation Costs.

(Local)

Sponsors:

Referred to:

February 23, 1999

A BILL TO BE ENTITLED

1 AN ACT TO PROVIDE THAT THE DEPARTMENT OF TRANSPORTATION
2 SHALL PAY THE NONBETTERMENT COSTS OF UTILITY RELOCATIONS
3 FOR WATER AND SEWER LINES OWNED BY A SYSTEM CREATED
4 PURSUANT TO ARTICLE 20 OF CHAPTER 160A OF THE GENERAL
5 STATUTES.
6

7 The General Assembly of North Carolina enacts:

8 Section 1. G.S. 136-27.1 reads as rewritten:

9 **"§ 136-27.1. Relocation of water and sewer lines of municipalities and nonprofit**
10 **water or sewer corporations or associations.**

11 The Department of Transportation shall pay the nonbetterment cost for the relocation
12 of water and sewer lines, located within the existing State highway right-of-way, that are
13 necessary to be relocated for a State highway improvement project and that are owned
14 by: (i) a municipality with a population of 5,500 or less according to the latest
15 decennial census; (ii) a nonprofit water or sewer association or corporation; (iii) any
16 water or sewer system organized pursuant to Chapter 162A of the General Statutes; (iv) a
17 rural water system operated by county as an enterprise system; (v) any sanitary district
18 organized pursuant to Part 2 of Article 2 of Chapter 130A of the General Statutes; ~~or~~ (vi)
19 constructed by a water or sewer system organized pursuant to Chapter 162A of the

1 General Statutes and then sold or transferred to a municipality with a population of
2 greater than 5,500 according to the latest decennial ~~eensus~~-census; or (vii) constructed by
3 a water or sewer system organized pursuant to Article 20 of Chapter 160A of the General
4 Statutes."

5 Section 2. This act applies to Buncombe County and Henderson County only.

6 Section 3. This act shall not apply to any funds due to the Department of
7 Transportation for any project completed or for which a contract has been let prior to the
8 effective date of this act.

9 Section 4. Funds expended by the Department of Transportation pursuant to
10 this act shall be credited against Department projects in Buncombe and Henderson
11 Counties only, and shall not affect or delay projects in the other counties of
12 Transportation Divisions 13 and 14.

13 Section 5. This act is effective when it becomes law and shall not affect
14 pending litigation.