

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2001**

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**SENATE BILL 601\***

Short Title: Durham Facilities Fees.

(Local)

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Sponsors: Senators Gulley and Lucas.

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Referred to: Finance.

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March 22, 2001

A BILL TO BE ENTITLED

1  
2 AN ACT TO AUTHORIZE THE CITY OF DURHAM TO USE A PORTION OF THE  
3 FACILITIES FEES COLLECTED BY THE CITY TO DEFRAID THE COSTS OF  
4 ADMINISTERING THE FACILITIES FEE PROGRAM.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** Section 115.3 of the Charter of the City of Durham, being  
7 Chapter 671 of the Session Laws of 1975 as added by Chapter 802 of the Session Laws  
8 of 1987 reads as rewritten:

9 "Sec. 115.3. **Purposes; Limitation on Use of Facilities Fees Hereunder.** (a)  
10 Facilities fees may be imposed for the following purposes:

- 11 (1) Providing streets and sidewalks, including without limitation bridges,  
12 viaducts, causeways, overpasses, underpasses, and alleys; paving,  
13 grading, resurfacing and widening streets; sidewalks, curbs and  
14 gutters, culverts and drains; traffic controls, signals, and markers;  
15 lighting; and grade crossings and the elimination thereof and grade  
16 separations.
- 17 (2) Providing parks and recreation facilities, including without limitation  
18 land, athletic fields, parks, playgrounds, recreation centers, shelters,  
19 stadiums, arenas, permanent and temporary stands, golf courses,  
20 swimming pools, wading pools, marinas, lighting, and bike paths.
- 21 (3) Providing drainage projects in accordance with Chapter 156 or 160A  
22 of the General Statutes of North Carolina or in accordance with this  
23 Charter.
- 24 (4) Providing or acquiring open space land in accordance with Article 19,  
25 Part 4, Chapter 160A of the General Statutes of North Carolina or of  
26 this Charter.

27 (b) Facilities fees collected for each purpose listed in subsection (a)(1) through  
28 (a)(4) above, shall be kept in separate funds in a manner consistent with the Local

1 Government Budget and Fiscal Control Act and the revenues so collected shall be used  
2 only for the purpose of paying the capital costs of the facilities described in each said  
3 ~~subsection.~~ subsection, and for the costs of administration as authorized in subsection  
4 (c) of this section.

5 (c) The city may use up to five percent (5%) of the facilities fees collected to defray  
6 the costs of administration of the facilities fee program."

7 **SECTION 2.** This act is effective when it becomes law.