

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2015

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HOUSE BILL 771

Short Title: DOT/Utility Relocation Costs. (Public)

Sponsors: Representatives Shepard, R. Turner, Hurley, and Robinson (Primary Sponsors).
For a complete list of Sponsors, refer to the North Carolina General Assembly Web Site.

Referred to: Transportation, if favorable, Finance.

April 15, 2015

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE RELIEF FOR SMALL MUNICIPALITIES FROM THE COSTS OF
3 MUNICIPAL UTILITY RELOCATION RELATED TO STATE TRANSPORTATION
4 PROJECTS.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** G.S. 136-27.1 reads as rewritten:
7 **"§ 136-27.1. Relocation of water and sewer lines of municipalities and nonprofit water or**
8 **sewer corporations or associations.**

9 The Department of Transportation shall pay the nonbetterment cost for the relocation of
10 water and sewer lines, located within the existing State transportation project right-of-way, that
11 are necessary to be relocated for a State transportation improvement project and that are owned
12 by: (i) a municipality with a population of ~~5,500~~10,000 or less according to the latest decennial
13 census; (ii) a nonprofit water or sewer association or corporation; (iii) any water or sewer
14 system organized pursuant to Chapter 162A of the General Statutes; (iv) a rural water system
15 operated by a County as an enterprise system; (v) any sanitary district organized pursuant to
16 Part 2 of Article 2 of Chapter 130A of the General Statutes; or (vi) constructed by a water or
17 sewer system organized pursuant to Chapter 162A of the General Statutes and then sold or
18 transferred to a municipality with a population of greater than ~~5,500~~10,000 according to the
19 latest decennial census. A municipality with a population greater than 10,000 shall pay a
20 percentage of the nonbetterment cost for relocation of water and sewer lines, owned by the
21 municipality and located within the existing State transportation project right-of-way, that are
22 necessary to be relocated for a State transportation improvement project. The percentage shall
23 be based on the municipality's population, with the Department paying the remaining costs, as
24 follows:

- 25 (1) A municipality with a population greater than 10,000, but less than 25,000,
26 shall pay twenty-five percent (25%) of the cost.
27 (2) A municipality with a population of 25,000 or greater, but less than 50,000,
28 shall pay fifty percent (50%) of the cost.
29 (3) A municipality with a population 50,000 or greater shall pay one hundred
30 percent (100%) of the costs.

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

