NORTH CAROLINA GENERAL ASSEMBLY
1967 SESSION

CHAPTER 577
HOUSE BILL 929

AN ACT TO AMEND THE CHARTER OF THE TOWN OF CARY AS CONTAINED IN CHAPTER 80 OF THE PRIVATE LAWS OF 1870-71, AS AMENDED RELATING TO ACREAGE CHARGES FOR WATER AND SEWER AND CERTAIN CONTRACTS RELATING TO WATER AND SEWER.

The General Assembly of North Carolina do enact:

Section 1. The Charter of the Town of Cary as contained in Chapter 80 of the Private Laws of 1870-71, as amended, is hereby further amended, without repealing any portions thereof, as follows:

"I. Acreage Charges for Water and Sewer Connections. In addition to water and sewer service charges authorized by G. S. 160-256 and connection charges authorized by law, the Town Council may establish and collect acreage charges for making connections to the Town water and sewerage systems, both within and outside the corporate limits, to aid in the financing of new water mains and sewer outfalls and the replacement or enlargement of existing mains and outfalls. Such charges shall apply uniformly to all properties to which water or sewer service is extended subsequent to the establishment of such charges; provided, the Town may establish higher acreage charges for property to be developed for commercial, institutional, or industrial use than those established for property to be developed for other uses, and may base acreage charges for residential development on the number of dwelling units per acre of land.

"II. Contracts for Water or Sewer Extensions. Nothwithstanding any provision of this Act or of any other law, the Town Council may enter contracts with any person, firm, or corporation whereby such person, firm, or corporation agrees to bear the total initial costs of water main or sewer outfall extensions, and whereby the Town agrees to reimburse such person, firm, or corporation for that portion of such costs in excess of the acreage charges attributable to property owned by such person, firm, or corporation to or through which such extensions are made; provided, such reimbursement shall be made only from revenues derived from acreage charges levied against property developed subsequent to the installation of such extensions; provided, further, nothing in this Section shall be construed so as to authorize or require the Town to reimburse, or to contract to reimburse, any person, firm, or corporation for any part of the costs of installing water or sewer lines within a subdivision to serve such subdivision."

Sec. 2. All laws and clauses of laws in conflict with this Act are hereby repealed.

Sec. 3. This Act shall be effective upon its ratification.

In the General Assembly read three times and ratified, this the 23rd day of May, 1967.