

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1991

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HOUSE BILL 1446*
Committee Substitute Favorable 6/17/92
Third Edition Engrossed 6/22/92

Short Title: Prop. Taxes for Pub. Transport.

(Public)

Sponsors:

Referred to:

June 1, 1992

A BILL TO BE ENTITLED

AN ACT TO ALLOW CITIES AND COUNTIES TO USE PROPERTY TAXES TO SUPPORT PUBLIC TRANSPORTATION WITHOUT CALLING A REFERENDUM.

The General Assembly of North Carolina enacts:

Section 1. G.S. 153A-149(c) reads as rewritten:

"(c) Each county may levy property taxes for one or more of the purposes listed in this subsection up to a combined rate of one dollar and fifty cents (\$1.50) on the one hundred dollars (\$100.00) appraised value of property subject to taxation. Authorized purposes subject to the rate limitation are:

(1) To provide for the general administration of the county through the board of county commissioners, the office of the county manager, the office of the county budget officer, the office of the county finance officer, the office of the county assessor, the office of the county tax collector, the county purchasing agent, and the county attorney, and for all other general administrative costs not allocated to a particular board, commission, office, agency, or activity of the county.

(2) Agricultural Extension. – To provide for the county's share of the cost of maintaining and administering programs and services offered to agriculture by or through the Agricultural Extension Service or other agencies.

- 1 (3) Air Pollution. – To maintain and administer air pollution control
2 programs.
- 3 (4) Airports. – To establish and maintain airports and related
4 aeronautical facilities.
- 5 (5) Ambulance Service. – To provide ambulance services, rescue
6 squads, and other emergency medical services.
- 7 (6) Animal Protection and Control. – To provide animal protection and
8 control programs.
- 9 (6a) Arts Programs and Museums. – To provide for arts programs and
10 museums as authorized in G.S. 160A-488.
- 11 (6b) Auditoriums, coliseums, and convention and civic centers. – To
12 provide public auditoriums, coliseums, and convention and civic
13 centers.
- 14 (7) Beach Erosion and Natural Disasters. – To provide for shoreline
15 protection, beach erosion control, and flood and hurricane
16 protection.
- 17 (8) Cemeteries. – To provide for cemeteries.
- 18 (9) Civil Preparedness. – To provide for civil preparedness programs.
- 19 (10) Debts and Judgments. – To pay and discharge any valid debt of the
20 county or any judgment lodged against it, other than debts and
21 judgments evidenced by or based on bonds and notes.
- 22 (10a) Defense of Employees and Officers. – To provide for the defense
23 of, and payment of civil judgments against, employees and officers
24 or former employees and officers, as authorized by this Chapter.
- 25 (10b) Economic Development. – To provide for economic development
26 as authorized by G.S. 158-12.
- 27 (11) Fire Protection. – To provide fire protection services and fire
28 prevention programs.
- 29 (12) Forest Protection. – To provide forest management and protection
30 programs.
- 31 (13) Health. – To provide for the county's share of maintaining and
32 administering services offered by or through the county or district
33 health department.
- 34 (14) Historic Preservation. – To undertake historic preservation
35 programs and projects.
- 36 (15) Hospitals. – To establish, support and maintain public hospitals and
37 clinics, and other related health programs and facilities, or to aid
38 any private, nonprofit hospital, clinic, related facility, or other
39 health program or facility.
- 40 (15a) Housing Rehabilitation. – To provide for personnel costs related to
41 planning and administration of housing rehabilitation programs
42 authorized by G.S. 153A-376. This subdivision only applies to
43 counties with a population of 400,000 or more, according to the
44 most recent decennial federal census.

- 1 (16) Human Relations. – To undertake human relations programs.
2 (16a) Industrial Development. – To provide for industrial development as
3 authorized by G.S. 158-7.1.
4 (17) Joint Undertakings. – To cooperate with any other county, city, or
5 political subdivision in providing any of the functions, services, or
6 activities listed in this subsection.
7 (18) Law Enforcement. – To provide for the operation of the office of
8 the sheriff of the county and for any other county law-enforcement
9 agency not under the sheriff's jurisdiction.
10 (19) Libraries. – To establish and maintain public libraries.
11 (20) Mapping. – To provide for mapping the lands of the county.
12 (21) Medical Examiner. – To provide for the county medical examiner
13 or coroner.
14 (22) Mental Health. – To provide for the county's share of the cost of
15 maintaining and administering services offered by or through the
16 area mental health, developmental disabilities, and substance abuse
17 authority.
18 (23) Open Space. – To acquire open space land and easements in
19 accordance with Article 19, Part 4, Chapter 160A of the General
20 Statutes.
21 (24) Parking. – To provide off-street lots and garages for the parking
22 and storage of motor vehicles.
23 (25) Parks and Recreation. – To establish, support and maintain public
24 parks and programs of supervised recreation.
25 (26) Planning. – To provide for a program of planning and regulation of
26 development in accordance with Article 18 of this Chapter and
27 Article 19, Parts 3A and 6, of Chapter 160A of the General
28 Statutes.
29 ~~(27)~~ (26a) Ports and Harbors. – To participate in programs with the
30 North Carolina Ports Authority and provide for harbor masters.
31 (27) Public Transportation. – To provide public transportation by rail,
32 motor vehicle, or another means of conveyance other than a ferry,
33 including any facility or equipment needed to provide the public
34 transportation. This subdivision does not authorize a county to
35 provide public roads in the county in violation of G.S. 136-51.
36 (27a) Railway Corridor Preservation. – To acquire property for railroad
37 corridor preservation as authorized by G.S. 160A-498.
38 (28) Register of Deeds. – To provide for the operation of the office of
39 the register of deeds of the county.
40 (29) Sewage. – To provide sewage collection and treatment services as
41 defined in G.S. 153A-274(2).
42 (30) Social Services. – To provide for the public welfare through the
43 maintenance and administration of public assistance programs not

- 1 required by Chapters 108A and 111 of the General Statutes, and
2 by establishing and maintaining a county home.
- 3 (31) Solid Waste. – To provide solid waste collection and disposal
4 services, and to acquire and operate landfills.
- 5 (31a) Stormwater. – To provide structural and natural stormwater and
6 drainage systems of all types.
- 7 (32) Surveyor. – To provide for a county surveyor.
- 8 (33) Veterans' Service Officer. – To provide for the county's share of
9 the cost of services offered by or through the county veterans'
10 service officer.
- 11 (34) Water. – To provide water supply and distribution systems.
- 12 (35) Watershed Improvement. – To undertake watershed improvement
13 projects.
- 14 (36) Water Resources. – To participate in federal water resources
15 development projects.
- 16 (37) Armories. – To supplement available State or federal funds to be
17 used for the construction (including the acquisition of land),
18 enlargement or repair of armory facilities for the North Carolina
19 national guard."

20 Sec. 2. G.S. 160A-209(d) reads as rewritten:

21 "(c) Each city may levy property taxes for one or more of the following purposes
22 subject to the rate limitation set out in subsection (d):

- 23 (1) Administration. – To provide for the general administration of the
24 city through the city council, the office of the city manager, the
25 office of the city budget officer, the office of the city finance
26 officer, the office of the city tax collector, the city purchasing
27 agent, the city attorney, and for all other general administrative
28 costs not allocated to a particular board, commission, office,
29 agency, or activity.
- 30 (2) Air Pollution. – To maintain and administer air pollution control
31 programs.
- 32 (3) Airports. – To establish and maintain airports and related
33 aeronautical facilities.
- 34 (4) Ambulance Service. – To provide ambulance services, rescue
35 squads, and other emergency medical services.
- 36 (5) Animal Protection and Control. – To provide animal protection
37 and control programs.
- 38 (5a) Arts Programs and Museums. – To provide for arts programs and
39 museums as authorized in G.S. 160A-488.
- 40 (6) Auditoriums, Coliseums, and Convention Centers. – To provide
41 public auditoriums, coliseums, and convention centers.
- 42 (7) Beach Erosion and Natural Disasters. – To provide for shoreline
43 protection, beach erosion control and flood and hurricane
44 protection.

- 1 (8) Cemeteries. – To provide for cemeteries.
2 (9) Civil Defense. – To provide for civil defense programs.
3 (9a) Community Development. – To provide for community
4 development as authorized by G.S. 160A-456 and 160A-457.
5 (10) Debts and Judgments. – To pay and discharge any valid debt of
6 the city or any judgment lodged against it, other than debts or
7 judgments evidenced by or based on bonds or notes.
8 (10a) Defense of Employees and Officers. – To provide for the defense
9 of, and payment of civil judgments against, employees and
10 officers or former employees and officers, as authorized by this
11 Chapter.
12 (10b) Economic Development. – To provide for economic development
13 as authorized by G.S. 158-12.
14 (10c) Drainage. – To provide for drainage projects or programs in
15 accordance with Chapter 156 of the General Statutes or in
16 accordance with this Chapter.
17 (11) Elections. – To provide for all city elections and referendums.
18 (12) Electric Power. – To provide electric power generation,
19 transmission, and distribution services.
20 (13) Fire Protection. – To provide fire protection services and fire
21 prevention programs.
22 (14) Gas. – To provide natural gas transmission and distribution
23 services.
24 (15) Historic Preservation. – To undertake historic preservation
25 programs and projects.
26 (15a) Housing. – To undertake housing projects as defined in G.S. 157-
27 3, and urban homesteading programs under G.S. 160A-457.2.
28 (16) Human Relations. – To undertake human relations programs.
29 (17) Hospitals. – To establish, support and maintain public hospitals
30 and clinics, and other related health programs and facilities, and
31 to aid any private, nonprofit hospital, clinic, related facility, or
32 other health program or facility.
33 (17a) Industrial Development. – To provide for industrial development
34 as authorized by G.S. 158-7.1.
35 (18) Jails. – To provide for the operation of a jail and other local
36 confinement facilities.
37 (19) Joint Undertakings. – To cooperate with any other county, city, or
38 political subdivision of the State in providing any of the functions,
39 services, or activities listed in this subsection.
40 (20) Libraries. – To establish and maintain public libraries.
41 (21) Mosquito Control.
42 (22) Off-Street Parking. – To provide off-street lots and garages for the
43 parking and storage of motor vehicles.

- 1 (23) Open Space. – To acquire open space land and easements in
2 accordance with Article 19, Part 4, of this Chapter.
- 3 (24) Parks and Recreation. – To establish, support and maintain public
4 parks and programs of supervised recreation.
- 5 (25) Planning. – To provide for a program of planning and regulation
6 of development in accordance with Article 19 of this Chapter.
- 7 (26) Police. – To provide for law enforcement.
- 8 ~~(27)~~ (26a) Ports and Harbors. – To participate in programs with the
9 North Carolina Ports Authority and to provide for harbor masters.
- 10 (27) Public Transportation. – To provide public transportation by
11 rail, motor vehicle, or another means of conveyance other than a
12 ferry, including any facility or equipment needed to provide the
13 public transportation.
- 14 (27a) Railroad Corridor Preservation. – To acquire property for railroad
15 corridor preservation.
- 16 (27b) Senior Citizens Programs. – To undertake programs for the
17 assistance and care of its senior citizens.
- 18 (28) Sewage. – To provide sewage collection and treatment services as
19 defined in G.S. 160A-311(3).
- 20 (29) Solid Waste. – To provide solid waste collection and disposal
21 services, and to acquire and operate landfills.
- 22 (30) Streets. – To provide for the public streets, sidewalks, and bridges
23 of the city.
- 24 (31) Traffic Control and On-Street Parking. – To provide for the
25 regulation of vehicular and pedestrian traffic within the city, and
26 for the parking of motor vehicles on the public streets.
- 27 (31a) Urban Redevelopment. – To provide for urban redevelopment.
- 28 (32) Water. – To provide water supply and distribution services.
- 29 (33) Water Resources. – To participate in federal water resources
30 development projects.
- 31 (34) Watershed Improvement. – To undertake watershed improvement
32 projects."
- 33 Sec. 3. This act is effective upon ratification.