

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1993

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HOUSE BILL 398  
Committee Substitute Favorable 4/7/93

Short Title: High Point Charter Changes.

(Local)

Sponsors:

Referred to:

March 8, 1993

1 A BILL TO BE ENTITLED  
2 AN ACT CONCERNING THE CHARTER OF THE CITY OF HIGH POINT.  
3 The General Assembly of North Carolina enacts:

4 Section 1. Article VII of the Charter of the City of High Point, being Chapter  
5 501 of the Session Laws of 1979, as amended, and as modified by G.S. 40A-1, is  
6 rewritten to read:

7 "ARTICLE VII.  
8 "EMINENT DOMAIN.

9 "Sec. 7.1. **Condemnation Procedure; Interest Acquired.** The exercise of eminent  
10 domain, the procedure for its exercise, and the authority to acquire property is as  
11 prescribed by general law."

12 Sec. 2. G.S. 158-7.1(d1) reads as rewritten:

13 "(d1) In arriving at the amount of consideration that it receives, the Board may take  
14 into account prospective tax revenues from improvements to be constructed on the  
15 property, prospective sales tax revenues to be generated in the area, as well as any other  
16 prospective tax revenues or income coming to the county or city over the next 10 years  
17 as a result of the conveyance or lease provided the following conditions are met:

- 18 (1) The governing board of the county or city shall determine that the  
19 conveyance of the property will stimulate the local economy, promote  
20 business, and result in the creation of a substantial number of jobs in  
21 the county or city.  
22 (2) The governing board of the county or city shall contractually bind the  
23 purchaser of the property to construct improvements on the property

1 within a specified period of time, not to exceed 10 years, which  
2 improvements are sufficient to generate the tax revenue taken into  
3 account in arriving at the consideration. Upon failure to construct the  
4 improvements specified in the contract, the purchaser shall reconvey  
5 the property back to the county or city.

6 This subsection applies to the Cities of Concord, Conover, High Point, Kannapolis,  
7 Mooresville, Mount Airy, St. Pauls, Selma, Smithfield, Statesville, Troutman, and  
8 Winston-Salem, and the Counties of Ashe, Cabarrus, Forsyth, Franklin, Iredell, and  
9 Johnston."

10 Sec. 3. Article IX of the Charter of the City of High Point, being Chapter 501  
11 of the Session Laws of 1979, as amended, is further amended by adding a new section  
12 to read:

13 "Sec. 9.9. **Stormwater.** The governing body of the City of High Point may adopt  
14 such ordinances as it deems appropriate to regulate stormwater, by requiring the  
15 submission of plans in order to control stormwater from the site of any construction,  
16 landscaping, clearing projects or any other project which in any manner alters the  
17 natural structure of the land mass within said City of High Point and its extraterritorial  
18 planning jurisdiction. The governing body of the City may establish by ordinance a  
19 program of regulations whereby prior to any land disturbing activity within the City of  
20 High Point and its extraterritorial planning jurisdiction, a permit must be obtained in the  
21 manner prescribed by the ordinance, and in accordance with the criteria and standards as  
22 established by the governing board.

23 The ordinance may provide that in lieu of the required improvements shown on the  
24 plan, a developer may be required to provide funds that the City may use for the  
25 construction of devices, structures, drainage easements, and impoundments to control  
26 stormwater within the drainage basin; these funds may be used to serve more than one  
27 site or development within the area. The ordinance may require a combination of  
28 partial payment of funds and partial construction when the governing body of the City  
29 determines that a combination is in the best interest of the citizens of the area to be  
30 served."

31 Sec. 4. All laws and clauses of laws, general or local, in conflict with this act  
32 are repealed to the extent of the conflict.

33 Sec. 5. This act is effective upon ratification.