

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 341
HOUSE BILL 505

AN ACT TO ALLOW THE CITIES OF GASTONIA, BELMONT, AND MOUNT
HOLLY AND THE TOWN OF STANLEY TO MAKE CERTAIN
ASSESSMENTS OUTSIDE THE CORPORATE LIMITS.

The General Assembly of North Carolina enacts:

Section 1. In exercising the authority granted under Article 16 of Chapter 160A of the General Statutes to extend and operate public enterprises outside the corporate limits, the governing body of a city or town shall specially assess all or part of the costs of constructing, reconstructing, extending, building, or improving water supply and distribution systems or sewage collection and disposal systems or both such systems or any part thereof, outside the corporate limits of the city or town against property benefited therefrom; provided, however, no special assessment shall be levied unless and until a valid petition for such improvements has been submitted to the city or town by the owners of the property affected. In order to be valid, the petition must be signed by at least a majority in number of the owners of property to be assessed, who must represent at least a majority of all of the lineal feet of frontage of the lands abutting the water or sewer improvement. Special assessments levied pursuant to this section shall be levied and collected in the same way and under the same authority and procedures as special assessments levied and collected by the city or town upon property within the corporate limits.

Notwithstanding the provisions of G.S. 160A-237, the resolution levying an assessment pursuant to this section may provide that, upon application to the governing body of the city or town, the assessment be held in abeyance without interest when the household income of a residence benefited by the improvements does not exceed the most recent poverty threshold set by the United States Department of Labor. An assessment that is held in abeyance under this section shall be held until the earliest of the following:

- (1) Improvements on the assessed property are actually connected to the water and sewer system for which the assessment was levied and the improvements are working properly.
- (2) The property benefited is transferred.
- (3) A date certain not more than 20 years from the date of confirmation of the assessment roll.

The remaining provisions of G.S. 160A-237 shall govern the assessments held in abeyance.

Sec. 2. This act applies only to the Cities of Belmont, Gastonia, and Mount Holly and the Town of Stanley.

Sec. 3. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 28th day of June, 1995.

Dennis A. Wicker
President of the Senate

Harold J. Brubaker
Speaker of the House of Representatives