

GENERAL ASSEMBLY OF NORTH CAROLINA
1995 SESSION

CHAPTER 687
SENATE BILL 507

AN ACT TO AMEND THE CHARTER OF THE CITY OF DURHAM TO PERMIT THE CITY COUNCIL TO SPECIALLY ASSESS BENEFITED PROPERTY FOR THE COST OF EXTENDING WATER AND SEWER LINES TO PROPERTY LOCATED OUTSIDE OF THE CITY LIMITS WHEN REQUESTED BY THE BOARD OF COMMISSIONERS OF DURHAM COUNTY WITHOUT THE NECESSITY OF A PETITION FOR SUCH IMPROVEMENTS BEING SUBMITTED.

The General Assembly of North Carolina enacts:

Section 1. Section 81 of the Charter of the City of Durham, being Chapter 671 of the Session Laws of 1975, reads as rewritten:

"Sec. 81. **Additional Assessment Authority.** – In exercising the authority granted under Article 16 of Chapter 160A of the ~~North Carolina~~ General Statutes to extend and operate public enterprises outside its corporate limits, the City Council may specially assess ~~all, or part, 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 against property benefited therefrom; ~~provided, however, no special assessment shall be levied until a petition which meets the requirements set forth in Section 77, subsection (7) of this Charter has been submitted to the City by the owners of the property affected, therefrom.~~ 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 upon property within the corporate limits. No special assessment shall be levied under the authority of this section until a petition which meets the requirements set forth in Section 77, subsection (7) of this Charter has been submitted to the City by the owners of the property affected; provided, however, no petition is necessary in cases where the City Council finds that it is reasonably necessary or expedient to extend such water supply and distribution system, sewage collection and disposal system, or both such systems, to serve, in whole or in part, property in Durham County when the Board of Commissioners of the County of Durham requests such extension or extensions."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 21st day of June, 1996.