

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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HOUSE BILL 638

Committee Substitute Favorable 4/8/99

Senate Agriculture/Environment/Natural Resources Committee Substitute Adopted
7/8/99

Short Title: Transfer of Certain Septic Systems.

(Local)

Sponsors:

Referred to:

March 29, 1999

A BILL TO BE ENTITLED

1
2 AN ACT TO AUTHORIZE THE OWNERS OF PROVISIONALLY APPROVED
3 SEPTIC TANKS AND INNOVATIVE SEPTIC TANK SYSTEMS IN THE
4 COUNTIES OF CAMDEN, CHOWAN, CURRITUCK, GATES, HERTFORD,
5 PASQUOTANK, PERQUIMANS, TYRRELL, AND WASHINGTON TO
6 TRANSFER OWNERSHIP OF THESE SYSTEMS TO A JOINT AGENCY
7 CREATED BY TWO OR MORE UNITS OF LOCAL GOVERNMENT LOCATED
8 IN THOSE COUNTIES AND TO AUTHORIZE THE COUNTIES OF GATES AND
9 HERTFORD TO COLLECT FEES FOR THE INSPECTION OF PROVISIONALLY
10 APPROVED SEPTIC TANK AND INNOVATIVE SEPTIC TANK SYSTEMS IN
11 THE SAME MANNER AS PROPERTY TAXES.

12 The General Assembly of North Carolina enacts:

13 Section 1. As used in this act, "provisionally approved septic tank or
14 innovative septic tank system" means a septic tank system located in soil that is classified
15 as provisionally suitable or an innovative septic tank system, as those terms are used in
16 Subchapter 18A of Chapter 18 of Title 15A of the North Carolina Administrative Code,
17 G.S. 130A-343, and any applicable local rules or ordinances.

1 Section 2. As used in this section, "unit of local government" has the same
2 meaning as in G.S. 160A-460. One or more units of local government located in the
3 Counties of Camden, Chowan, Currituck, Gates, Hertford, Pasquotank, Perquimans,
4 Tyrrell, and Washington may establish a joint agency for the purpose of owning and
5 operating a provisionally approved septic tank or innovative septic tank system as
6 provided in Article 20 of Chapter 160A of the General Statutes. The owner of any
7 provisionally approved septic tank or innovative septic tank system may, upon
8 acceptance by a joint agency established under this section, transfer ownership of any real
9 or personal property or interest therein that is a part of or used in connection with the
10 provisionally approved septic tank or innovative septic tank system to the joint agency.
11 Notwithstanding G.S. 160A-462(a), a joint agency created pursuant to this section may
12 hold real property necessary to the undertaking. Any county named in this section may
13 accept real or personal property described in this section from the owner of the property
14 for transfer to a joint agency established as provided in this section.

15 Section 3. The Counties of Gates and Hertford may adopt an ordinance
16 providing that any fee for the inspection of a provisionally approved septic tank or other
17 innovative septic tank system may be billed as property taxes, may be payable in the
18 same manner as property taxes, and in the case of nonpayment, may be collected in any
19 manner by which property taxes can be collected. If the ordinance states that delinquent
20 fees can be collected in the same manner as delinquent real property taxes, the delinquent
21 fees are a lien on the real property described on the bill that includes the fee.

22 Section 4. This act is effective when it becomes law. Section 3 of this act
23 applies to fees imposed for inspections performed on or after the date this act becomes
24 law.