

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1229*

Short Title: County/City Solid Waste Collection. (Public)

Sponsors: Representatives Gibson, Moore (Primary Sponsors); and Faison.

Referred to: Local Government I, if favorable, Judiciary I and, if favorable, to the Com on Finance.

March 29, 2007

A BILL TO BE ENTITLED

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2 AN ACT REQUIRING COUNTIES AND CITIES TO PROVIDE REASONABLY
3 EQUITABLE GARBAGE COLLECTION SERVICE TO SINGLE-FAMILY AND
4 MULTIFAMILY DWELLINGS WITH PROPERTY TAXES LEVIED TO
5 PROVIDE THE SERVICE AND TO ESTABLISH REASONABLY EQUITABLE
6 SERVICE AND FEES FOR GARBAGE COLLECTION SERVICE WHEN
7 OPERATING A PUBLIC ENTERPRISE FOR THE PURPOSE OF PROVIDING
8 THE SERVICE.

9 The General Assembly of North Carolina enacts:

10 **SECTION 1.** G.S. 153A-149 is amended by adding the following new
11 subsection to read:

12 "(h) If a county levies property taxes to provide solid waste services as authorized
13 by subdivision (c)(31) of this section, the county shall provide a reasonably equitable
14 level of solid waste services to all single-family and multifamily dwellings within the
15 county, and the county shall not charge multifamily dwellings any additional costs or
16 fees for the services that are not also charged single-family dwellings."

17 **SECTION 2.** G.S. 153A-277(a) reads as rewritten:

18 "(a) A county may establish and revise from time to time schedules of rents, rates,
19 fees, charges, and penalties for the use of or the services furnished by a public
20 enterprise. Schedules of rents, rates, fees, charges, and penalties may vary for the same
21 class of service in different areas of the county and may vary according to classes of
22 service, and different schedules may be adopted for services provided outside of the
23 county. However, if a county provides solid waste collection and disposal services as
24 authorized by G.S. 153A-274(3), the county shall provide a reasonably equitable level
25 of service to all single-family and multifamily dwellings within the county, and shall
26 establish a schedule of fees for the services that reflects the level of service provided. A
27 county may include a fee relating to subsurface discharge wastewater management

1 systems and services on the property tax bill for the real property where the system for
2 which the fee is imposed is located."

3 **SECTION 3.** G.S. 160A-209 is amended by adding the following new
4 subsection to read:

5 "(i) If a city levies property taxes to provide solid waste services as authorized by
6 subdivision (c)(29) of this section, the city shall provide a reasonably equitable level of
7 solid waste services to all single-family and multifamily dwellings within the city, and
8 the city shall not charge multifamily dwellings any additional costs or fees for the
9 services that are not also charged single family dwellings."

10 **SECTION 4.** G.S. 160A-314(a) reads as rewritten:

11 "(a) A city may establish and revise from time to time schedules of rents, rates,
12 fees, charges, and penalties for the use of or the services furnished by any public
13 enterprise. Schedules of rents, rates, fees, charges, and penalties may vary according to
14 classes of service, and different schedules may be adopted for services provided outside
15 the corporate limits of the city. However, if a city provides solid waste collection and
16 disposal services as authorized by G.S. 160A-311(6), the city shall provide a reasonably
17 equitable level of service to all single-family and multifamily dwellings within the city,
18 and shall establish a schedule of fees for the services that reflects the level of service
19 provided."

20 **SECTION 5.** This act is effective when it becomes law.