

**GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2007**

**H**

**1**

**HOUSE BILL 2580\***

Short Title: Chapel Hill Payment-in-Lieu Rec. Facilities. (Local)

---

Sponsors: Representative Insko.

---

Referred to: Local Government I, if favorable, Finance.

---

May 28, 2008

A BILL TO BE ENTITLED

1 AN ACT TO EXTEND THE AUTHORITY OF THE TOWN OF CHAPEL HILL TO  
2 REQUIRE PAYMENTS-IN-LIEU FOR RECREATIONAL FACILITIES.

3  
4 The General Assembly of North Carolina enacts:

5 **SECTION 1.** Section 5.42 of the Charter of the Town of Chapel Hill, being  
6 Chapter 473 of the 1975 Session Laws as added by Section 3 of Chapter 549 of the  
7 1993 Session Laws, and incorporated in the Charter under G.S. 160A-496, reads as  
8 rewritten:

9 "Sec. 5.42. Developers to make payment to town in lieu of reserving or dedicating  
10 recreation area.

11 (a) A town may adopt ordinances applicable in the town and the town's  
12 extraterritorial planning jurisdiction to require that developers make payment to the  
13 town in lieu of reserving or dedicating recreation areas, where the town's planning and  
14 development regulations would otherwise require provision of recreation areas equaling  
15 ~~two~~ four acres or less. The amount of payment shall be determined through procedures  
16 to be established by ordinance and in a manner consistent with G.S. 160A-372.

17 (b) A town may adopt ordinances applicable in the town and the town's  
18 extraterritorial planning jurisdiction to require that developers make payment to the  
19 town in lieu of providing improved recreation space and facilities under  
20 G.S. 160A-381(c) in new residential and nonresidential developments. The amount of  
21 payment shall be determined through procedures to be established by ordinance and  
22 shall be based on the demand for recreational facilities reasonably determined to be  
23 generated by the new development."

24 **SECTION 2.** This act is effective when it becomes law.