

GENERAL ASSEMBLY OF NORTH CAROLINA
1985 SESSION

CHAPTER 252
HOUSE BILL 386

AN ACT TO AMEND THE CHARTER OF THE TOWN OF GARNER TO PERMIT
THE COLLECTION OF MONEY INSTEAD OF REQUIRING LAND
DEDICATION FOR RECREATIONAL PURPOSES AND FOR SIDEWALKS.

The General Assembly of North Carolina enacts:

Section 1. Article VI of the Garner Town Charter, as set forth in Section 1 of Chapter 333 of the Session Laws of 1977 is amended by adding two new sections to read:

"Section 6.6. Fees in lieu of recreation facilities. The Board of Aldermen may establish a fund into which payments from developers or property owners may be deposited for the purpose of providing recreational areas or facilities and from which appropriations shall be made exclusively for the purpose of acquiring or improving recreational areas or facilities that are reasonably expected to benefit or serve the residents of the development generating such funds. The Board may provide in its Land Use Ordinance that all developers or developers of certain types of projects shall either provide recreation areas or facilities according to standards set forth in the ordinance or pay a fee in accordance with a town established schedule to the town's recreational areas and facilities fund. The Board may also provide in its Land Use Ordinance that under specified circumstances such fees shall be required in lieu of reservation or dedication of recreation areas or facilities.

Section 6.7. Fees in lieu of sidewalks. The Board of Aldermen may establish a fund into which payments from developers or property owners may be deposited for the purpose of providing sidewalks and from which appropriations shall be made exclusively for the purpose of providing or improving sidewalks that are reasonably expected to benefit or serve the residents of the development generating such funds. The Board may provide in its Land Use Ordinance that all developers or developers of certain types of projects shall either provide sidewalks according to standards set forth in the ordinance or pay a fee in accordance with a town-established schedule to the town's sidewalk fund. The Board may also provide in its Land Use Ordinance that under specified circumstances such fees shall be required in lieu of the provision of sidewalks."

Sec. 2. This act is effective upon ratification.

In the General Assembly read three times and ratified, this the 24th day of May, 1985.