

GENERAL ASSEMBLY OF NORTH CAROLINA
1991 SESSION

CHAPTER 698
HOUSE BILL 985

AN ACT TO CLARIFY A CITY'S AUTHORITY TO REQUIRE PARTICIPATION IN ANY SOLID WASTE COLLECTION SERVICES PROVIDED BY THE CITY AND TO AUTHORIZE THE CITY OF STATESVILLE TO EXEMPT CERTAIN PROPERTY FROM ASSESSMENTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-192 is repealed.

Sec. 2. G.S. 160A-317 reads as rewritten:

"§ 160A-317. **Power to require ~~connections.~~ connections to water or sewer service and the use of solid waste collection services.**

(a) Connections. – A city may require ~~the owners~~ an owner of improved property located within the city limits and upon or within a reasonable distance of any water line or sewer collection line owned or leased and operated by the city to connect ~~his~~ the owner's premises with the water or sewer line or both, and may fix charges for the connections. In lieu of requiring connection under this ~~section~~ subsection and in order to avoid hardship, the city may require payment of a periodic availability charge, not to exceed the minimum periodic service charge for properties ~~which~~ that are connected.

(b) Solid Waste. – A city may require an owner of improved property to do any of the following:

- (1) Place solid waste in specified places or receptacles for the convenience of city collection and disposal.
- (2) Separate materials from solid waste before the solid waste is collected.
- (3) Participate in a recycling program approved by the Council.
- (4) Participate in any solid waste collection service provided by the city or by a person who has a contract with the city if the owner or occupant of the property has not otherwise contracted for the collection of solid waste from the property.

A city may impose a fee for the solid waste collection service provided under subdivision (4). The fee may not exceed the costs of collection."

Sec. 3. The City of Statesville may exempt from special assessments levied under Article 10 of Chapter 160A of the General Statutes for the construction of water lines, any property within the area annexed by the City of Statesville by Ordinance No. 22-90 adopted May 21, 1990, if the property, on the effective date of the annexation ordinance (June 30, 1990), was situated adjacent to the water lines of the Iredell Water Corporation, Piedmont Water Corporation, or to existing water lines of the City of Statesville.

Sec. 4. Section 3 of this act applies to the City of Statesville only.

Sec. 5. This act is effective upon ratification.

In the General Assembly read three times and ratified this the 15th day of July, 1991.

James C. Gardner
President of the Senate

Daniel Blue, Jr.
Speaker of the House of Representatives