

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1999

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SENATE BILL 772

Short Title: Expand Municipal Service Districts.

(Public)

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Sponsors: Senators Clodfelter; Dannelly and Odom.

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Referred to: Finance.

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April 7, 1999

A BILL TO BE ENTITLED

AN ACT TO AUTHORIZE THE CREATION OF MUNICIPAL SERVICE DISTRICTS  
IN CERTAIN CITIES FOR URBAN AREA REVITALIZATION PROJECTS.

The General Assembly of North Carolina enacts:

Section 1. G.S. 160A-536 reads as rewritten:

**"§ 160A-536. Purposes for which districts may be established.**

(a) Purposes. – The city council of any city may define any number of service districts in order to finance, provide, or maintain for the districts one or more of the following services, facilities, or functions in addition to or to a greater extent than those financed, provided or maintained for the entire city:

(1) Beach erosion control and flood and hurricane protection ~~works;~~ works.

(1a) (For applicability see note) Any service, facility, or function which the municipality may by law provide in the city, and including but not limited to placement of utility wiring underground, placement of period street lighting, placement of specially designed street signs and street furniture, landscaping, specialized street and sidewalk paving, and other appropriate improvements to the rights-of-way that generally preserve the character of an historic district; provided that this subdivision only applies to a service district which, at the time of its creation, had the

1 same boundaries as an historic district created under Part 3A of Article  
2 19 of this ~~Chapter~~, Chapter.

3 (2) ~~Downtown revitalization projects;~~ projects.

4 (2a) Urban area revitalization projects.

5 (3) ~~Drainage projects;~~ projects.

6 (3a) Sewage collection and disposal systems of all types, including septic  
7 tank systems or other on-site collection or disposal facilities or ~~systems;~~  
8 systems.

9 (4) ~~Off-street parking facilities;~~ and facilities.

10 (5) Watershed improvement projects, including but not limited to  
11 watershed improvement projects as defined in General Statutes Chapter  
12 139; drainage projects, including but not limited to the drainage projects  
13 provided for by General Statutes Chapter 156; and water resources  
14 development projects, including but not limited to the federal water  
15 resources development projects provided for by General Statutes  
16 Chapter 143, Article 21.

17 (b) Downtown Revitalization Defined. – As used in this section "downtown  
18 revitalization projects" include by way of illustration but not limitation improvements to  
19 water mains, sanitary sewer mains, storm sewer mains, electric power distribution lines,  
20 gas mains, street lighting, streets and sidewalks, including rights-of-way and easements  
21 therefor, the construction of pedestrian malls, bicycle paths, overhead pedestrian  
22 walkways, sidewalk canopies, and parking facilities both on-street and off-street, and  
23 other improvements intended to relieve traffic congestion in the central city, improve  
24 pedestrian and vehicular access thereto, reduce the incidence of crime therein, and  
25 generally to further the public health, safety, welfare, and convenience by promoting the  
26 economic health of the central city or downtown area. In addition, a downtown  
27 revitalization project may, in order to revitalize a downtown area and further the public  
28 health, safety, welfare, and convenience, include the provision of city services or  
29 functions in addition to or to a greater extent than those provided or maintained for the  
30 entire city. A downtown revitalization project may also include promotion and  
31 developmental activities (such as sponsoring festivals and markets in the downtown area,  
32 promoting business investment in the downtown area, helping to coordinate public and  
33 private actions in the downtown area, and developing and issuing publications on the  
34 downtown area) designed to improve the economic well-being of the downtown area and  
35 further the public health, safety, welfare, and convenience. Exercise of the authority  
36 granted by this Article to undertake downtown revitalization projects financed by a  
37 municipal service district shall not prejudice the city's authority to undertake urban  
38 renewal projects in the same area.

39 (c) Urban Area Revitalization Defined. – As used in this section, the term 'urban  
40 area revitalization projects' includes the provision within an urban area of any service or  
41 facility that may be provided in a downtown area as a downtown revitalization project  
42 under subdivision (a)(2) and subsection (b) of this section. As used in this section, the  
43 term 'urban area' means an area that (i) is located within a city whose population exceeds

1 400,000 according to the most recent annual population statistics certified by the State  
2 Planning Officer and (ii) meets one or more of the following conditions:

- 3       (1) It is the central business district of the city.  
4       (2) It consists primarily of existing or redeveloping concentrations of  
5       industrial, retail, wholesale, office, or significant employment-  
6       generating uses, or any combination of these uses.  
7       (3) It is located in or along a major transportation corridor and does not  
8       include any residential parcels that are not, at their closest point, within  
9       150 feet of the major transportation corridor right-of-way or any  
10       nonresidentially zoned parcels that are not, at their closest point, within  
11       1,500 feet of the major transportation corridor right-of-way.  
12       (4) It has as its center and focus a major concentration of public or  
13       institutional uses, such as airports, seaports, colleges or universities,  
14       hospitals and health care facilities, or governmental facilities.  
15       (d) Contracts. – A city may provide services, facilities, functions, or promotional  
16       and developmental activities in a service district with its own forces, through a contract  
17       with another governmental agency, through a contract with a private agency, or by any  
18       combination thereof. Any contracts entered into pursuant to this paragraph shall specify  
19       the purposes for which city moneys are to be used and shall require an appropriate  
20       accounting for those moneys at the end of each fiscal year or other appropriate period."

21       Section 2. This act is effective when it becomes law.