GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2013

S **2**

SENATE BILL 848
State and Local Government Committee Substitute Adopted 6/10/14

Short Title: Infrastructure Reimbursement Agmts. (Local)

Sponsors:

Referred to:

May 28, 2014

A BILL TO BE ENTITLED

AN ACT CONCERNING PUBLIC-PRIVATE REIMBURSEMENT AGREEMENTS FOR INFRASTRUCTURE DEVELOPMENT BY THE TOWN OF MINT HILL, BY THE CITY OF CONCORD, AND BY THE CITY OF KANNAPOLIS.

The General Assembly of North Carolina enacts:

SECTION 1. A municipality may enter into reimbursement agreements with private developers and property owners for the design and construction of municipal infrastructure that is included on the municipality's Capital Improvement Plan or similar Municipal Infrastructure Development Plan and serves the developer or property owner. For the purpose of this act, municipal infrastructure includes, without limitation, water mains, sanitary sewer lines, lift stations, stormwater lines, streets, curbs and gutters, sidewalks, traffic control devices, and other associated facilities.

SECTION 2. A municipality shall enact ordinances setting forth procedures and terms under which such agreements may be approved.

SECTION 3. A municipality may provide for such reimbursements to be paid from any lawful source.

SECTION 4. No reimbursement pursuant to an agreement authorized by this act shall be deemed to be construction subject to Article 8 of Chapter 143 of the General Statutes or to be deemed to be a violation or evasion of any provision of said Article. Notwithstanding the foregoing provisions of this section, a construction contract subject to a reimbursement agreement authorized by this act shall not be awarded by a developer or property owner who is a party to such reimbursement agreement without complying with the requirements of G.S. 143-129 and G.S. 143-128.2 relating to public advertising and bid opening requirements which would be applicable if the construction contract had been awarded by the municipality.

SECTION 5. This act applies only to the Town of Mint Hill and the Cities of Concord and Kannapolis.

SECTION 6. This act is effective when it becomes law and expires on June 30, 2021.