

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1997

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SENATE BILL 724

Short Title: Wake Towns Impact Fees.

(Local)

Sponsors: Senator Miller.

Referred to: Finance.

April 7, 1997

A BILL TO BE ENTITLED

**AN ACT ALLOWING THE TOWNS OF APEX, GARNER, FUQUAY-VARINA,
HOLLY SPRINGS, KNIGHTDALE, MORRISVILLE, AND ZEBULON TO
IMPOSE TRANSPORTATION IMPACT FEES.**

The General Assembly of North Carolina enacts:

Section 1. Purpose. It is the purpose of this act to place an equitable share of the cost of providing adequate infrastructure upon all new inhabitants and upon those associated with the development process by providing the towns with the right, power, and authority to impose and collect fees to finance transportation improvements within the towns' corporate limits and extraterritorial jurisdictions.

Section 2. Authority to Impose Transportation Impact Fees. The towns of Apex, Garner, Fuquay-Varina, Holly Springs, Knightdale, Morrisville, and Zebulon shall have the right, power, and authority to impose and collect a transportation impact fee on all new construction within the towns' corporate limits and extraterritorial jurisdictions. New construction means any new development, construction, or installation that requires a building permit or action permitting real property improvements for occupancy, excluding the renovation and repair of existing structures and accessory uses and their structures.

Section 3. Basis of Transportation Impact Fee.

1 (a) Before adopting or amending a transportation impact fee, the governing body
2 of the municipality shall hold a public hearing regarding the proposed adoption or
3 amendment of the fee, and notice of the public hearing shall be given so as to conform
4 with G.S. 160A-364.

5 (b) The amount of the transportation impact fee imposed and collected shall be
6 based upon reasonable and uniform consideration of capital costs to be incurred by the
7 towns as a result of new construction.

8 Section 4. Proceeds From the Collection of Transportation Impact Fees.
9 Monies collected shall be accounted for separately and shall be spent for the capital
10 facilities for which they were collected. Such benefits shall not be exclusive to persons
11 or developers who pay a transportation impact fee.

12 Section 5. Effectiveness. This act is effective when it becomes law.