

**GENERAL ASSEMBLY OF NORTH CAROLINA**  
**SESSION 2001**

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**HOUSE BILL 809**

Short Title: Municipal ETJ Roadway Improvements. (Public)

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Sponsors: Representatives Alexander; Cunningham, Earle, Easterling, Gulley, Harrington, McMahan, Rayfield, and C. Wilson.

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Referred to: Transportation.

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March 26, 2001

A BILL TO BE ENTITLED  
AN ACT TO ALLOW LARGE CITIES TO MAKE ROADWAY IMPROVEMENTS  
IN THEIR EXTRATERRITORIAL PLANNING JURISDICTION.

The General Assembly of North Carolina enacts:

**SECTION 1.** G.S. 160A-296 reads as rewritten:

**"§ 160A-296. Establishment and control of streets; center and edge lines.**

(a) A city shall have general authority and control over all public streets, sidewalks, alleys, bridges, and other ways of public passage within its corporate limits to the extent that authority and control over certain streets and bridges is vested in the Board of Transportation. General authority and control includes but is not limited to:

- (1) The duty to keep the public streets, sidewalks, alleys, and bridges in proper repair;
- (2) The duty to keep the public streets, sidewalks, alleys, and bridges open for travel and free from unnecessary obstructions;
- (3) The power to open new streets and alleys, and to widen, extend, pave, clean, and otherwise improve existing streets, sidewalks, alleys, and bridges, and to acquire the necessary land therefor by dedication and acceptance, purchase, or eminent domain;
- (4) The power to close any street or alley either permanently or temporarily;
- (5) The power to regulate the use of the public streets, sidewalks, alleys, and bridges;
- (6) The power to regulate, license, and prohibit digging in the streets, sidewalks, or alleys, or placing therein or thereon any pipes, poles, wires, fixtures, or appliances of any kind either on, above, or below the surface;

1           (7)    The power to provide for lighting the streets, alleys, and bridges of the  
2                    city; and

3           (8)    The power to grant easements in street rights-of-way as permitted by  
4                    G.S. 160A-273.

5           (a1)    A city with a population of 500,000 or over according to the most recent  
6           decennial federal census may also exercise the power granted by subdivision (a)(3) of  
7           this section within its extraterritorial planning jurisdiction.

8           (b)    Repealed by Session Laws 1991, c. 530, s. 6."

9           **SECTION 2.** This act is effective when it becomes law.