

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 227
State and Local Government Committee Substitute Adopted 3/16/11

Short Title: Haywood Community College Leases.

(Local)

Sponsors:

Referred to:

March 7, 2011

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE THE BOARD OF TRUSTEES OF HAYWOOD COMMUNITY
3 COLLEGE TO ENTER INTO LEASES FOR THE SITING AND OPERATION OF A
4 RENEWABLE ENERGY FACILITY FOR UP TO TWENTY YEARS WITHOUT
5 TREATING IT AS A SALE AND WITHOUT GIVING NOTICE BY PUBLICATION.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.(a)** G.S. 160A-272 reads as rewritten:

8 "**§ 160A-272. Lease or rental of property.**

9 Any property owned by a city may be leased or rented for such terms and upon such
10 conditions as the council may determine, but not for longer than 10 years (except as otherwise
11 provided herein) and only if the council determines that the property will not be needed by the
12 city for the term of the lease. In determining the term of a proposed lease, periods that may be
13 added to the original term by options to renew or extend shall be included. Property may be
14 rented or leased only pursuant to a resolution of the council authorizing the execution of the
15 lease or rental agreement adopted at a regular council meeting upon 10 days' public notice.
16 Notice shall be given by publication describing the property to be leased or rented, stating the
17 annual rental or lease payments, and announcing the council's intent to authorize the lease or
18 rental at its next regular meeting.

19 No public notice need be given for resolutions authorizing leases or rentals for terms of one
20 year or less, and the council may delegate to the city manager or some other city administrative
21 officer authority to lease or rent city property for terms of one year or less. Leases for terms of
22 more than 10 years shall be treated as a sale of property and may be executed by following any
23 of the procedures authorized for sale of real property. A community college board of trustees
24 may approve a lease for the siting and operation of a renewable energy facility, as the term is
25 defined in G.S. 62-133.8(a)(7), for a term of up to 20 years without treating the lease as a sale
26 of property and without giving notice by publication of the intended lease."

27 **SECTION 1.(b)** This act applies only to Haywood Community College.

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

