GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2011

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SENATE BILL 622*

Short Title:	Limit ETJ.	(Public)
Sponsors:	Senators Rouzer, Jackson; Brock and Hise.	
Referred to:	Agriculture/Environment/Natural Resources.	

April 19, 2011

A BILL TO BE ENTITLED

AN ACT TO LIMIT THE EXTRATERRITORIAL JURISDICTION OF MUNICIPALITIES TO URBAN PURPOSES AND TO PROHIBIT THE INCLUSION OF PROPERTY IN AN EXTRATERRITORIAL JURISDICTION AREA FOR ENVIRONMENTAL IMPACT LAWS OR REGULATIONS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 160A-360(a) reads as rewritten:

"(a) All of the powers granted by this Article may be exercised by any city within its corporate limits. In addition, any city may exercise these powers <u>with regard only to property developed for an urban purpose, as defined in G.S. 160A-36,</u> within a defined area extending not more than one mile beyond its limits. With the approval of the board or boards of county commissioners with jurisdiction over the area, a city of 10,000 or more population but less than 25,000 may exercise these powers over an area extending not more than two miles beyond its limits and a city of 25,000 or more population may exercise these powers over an area extending not more than three miles beyond its limits. The boundaries of the city's extraterritorial jurisdiction shall be the same for all powers conferred in this Article. No city may exercise extraterritorially any power conferred by this Article that it is not exercising within its corporate limits. In determining the population of a city for the purposes of this Article, the city council and the board of county commissioners may use the most recent annual estimate of population as certified by the Secretary of the North Carolina Department of Administration."

SECTION 2. G.S. 160A-360 is amended by adding a new subsection to read:

"<u>(k) A municipality is prohibited from including land or property within its extraterritorial jurisdiction area, as defined by this section, as part of the present or future environmental impact of that municipality on any watershed for regulatory or statutory purposes.</u>"

SECTION 3. This act is effective when it becomes law.