

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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SENATE BILL 276

Short Title: Durham/Relocation of Nonmunicipal Utilities. (Local)

Sponsors: Senators Woodard and McKissick (Primary Sponsors).

Referred to: Rules and Operations of the Senate

March 18, 2019

A BILL TO BE ENTITLED

1 AN ACT AMENDING THE CHARTER OF THE CITY OF DURHAM TO AUTHORIZE THE
2 CITY TO CONDEMN OR ACQUIRE PROPERTY NECESSARY TO PROVIDE
3 TRANSPORTATION PROJECT RIGHTS-OF-WAY FOR THE RELOCATION OF
4 UTILITIES.
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6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Section 74 of the Charter of the City of Durham, being Chapter 671 of
8 the Session Laws of 1975, as amended, is amended by adding a new subsection to read as follows:

9 "Sec. 74. *Optional Condemnation Procedures.* – In addition to any other authority for the
10 condemnation of property which is given to the City by General or Special Law, the City shall
11 be authorized to:

12 ...

13 (3) In order to prevent undue delay of City transportation projects because of utility
14 conflicts, condemn or acquire property in fee or appropriate easements necessary to provide
15 transportation project rights-of-way for the relocation of utilities when required in the
16 construction, reconstruction, or rehabilitation of a City transportation project. The City shall also
17 have the authority to, in its discretion, acquire rights-of-way necessary for the present or future
18 placement of utilities."

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

