

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2021**

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HOUSE BILL 484

Short Title: New Bern Fees in Lieu. (Local)

Sponsors: Representative Tyson.

For a complete list of sponsors, refer to the North Carolina General Assembly web site.

Referred to: Local Government - Land Use, Planning and Development, if favorable, Rules,
Calendar, and Operations of the House

April 5, 2021

A BILL TO BE ENTITLED

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2 AN ACT TO AMEND THE CHARTER OF THE CITY OF NEW BERN TO AUTHORIZE
3 THE CITY OF NEW BERN TO ACCEPT PAYMENTS IN LIEU OF REQUIRED
4 SIDEWALK CONSTRUCTION.

5 The General Assembly of North Carolina enacts:

6 **SECTION 1.** The Charter of the City of New Bern, being S.L. 2016-41, is amended
7 by adding a new Article to read as follows:

8 "ARTICLE VI. SIDEWALK COSTS IN LIEU OF CONSTRUCTION

9 "Section 6.1. Sidewalk construction. The City's development regulations may require the
10 construction of sidewalks as part of a development project. The development regulations may
11 provide that in lieu of required sidewalk construction, the developer shall pay to the City the
12 costs of that required sidewalk construction. When costs are paid in lieu of construction for a
13 project, the developer shall have no further obligation to the City for sidewalk construction for
14 that project. The City, not the developer, shall determine whether the developer constructs the
15 sidewalk or pays construction costs in lieu of construction.

16 "Section 6.2. Use of funds. Construction costs in lieu received by the City shall be placed in
17 a designated fund used by the City for general sidewalk construction throughout the City."

18 **SECTION 2.** This act is effective when it becomes law and applies to development
19 projects pending on or after that date.

